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Twenty-second report of the Secretary-General on the United Nations Mission in Sierra Leone

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1537 (2004) of 30 March 2004, by which the Council extended the mandate of the United Nations Mission in Sierra Leone (UNAMSIL) for an additional period of six months, until 30 September 2004. In the same resolution, the Council approved my recommendation that a residual UNAMSIL presence remain in Sierra Leone, for an initial period of six months from 1 January 2005, and requested me to proceed with the planning necessary to ensure a seamless transition from the current configuration of UNAMSIL to the residual presence. The Council also requested me to provide quarterly assessments of progress made against the benchmarks for the UNAMSIL drawdown, including the capacity of the Sierra Leone security sector. The present report describes the progress made in the Mission's withdrawal and provides an assessment of the security situation and implementation of the benchmarks.

II. Security situation

2. The overall political and security situation in Sierra Leone has remained stable, allowing UNAMSIL to continue the implementation of the adjustment, drawdown and withdrawal plan. The favourable security environment has also made it possible for UNAMSIL to handover to the Government the primary responsibility for security in the Northern and Southern Provinces. UNAMSIL will continue to provide support to the Sierra Leone police in these areas, including for patrolling and monitoring the overall security situation. In the Eastern Province and the Western Area, which covers mainly Freetown and its outlying parts, the handover to the Government of primary responsibility for security is scheduled to take place in August and September 2004, respectively.

3. UNAMSIL and the Government of Sierra Leone have continued to jointly evaluate the security situation at the National Security Council Coordinating Group's weekly meetings. The Mission has also been working closely with the provincial and district security committees and has conducted frequent joint exercises with the Sierra Leone police and Republic of Sierra Leone Armed Forces (RSLAF). However, there is a need to increase the level of coordination of the activities of these committees, with a view to enhancing their effectiveness. In this

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connection, the Office of National Security could play an important role in the management of these committees.

4. Despite the relative stability in the country, socio-economic problems remain a catalyst for frustration among the population. The price of basic commodities and imported goods continues to rise in Freetown and throughout the country, and there have been a number of public sector strikes over the late payment of salaries and benefits. With the advent of the rainy season, the economic situation may become even more complicated and have a further impact on the recovery process. The high poverty level combined with widespread unemployment and the marginalization of certain segments of society, in particular young people, could affect stability in the country.

5. The relationship between the personnel of RSLAF and the Sierra Leone police remains a source of concern. Significant progress has been made towards developing cooperation between the security forces at the senior levels and a number of joint exercises have been conducted throughout the country. However, during the reporting period, two incidents occurred in Freetown between Sierra Leone police personnel and representatives of the armed forces. The first incident was over an attempted arrest by the police of a civilian alleged to be in possession of a large consignment of army uniforms. The second was during an Easter Monday parade, when an RSLAF officer was arrested for assaulting a police constable on duty. The Government swiftly launched an investigation into these incidents. It is important to ensure that relations between the two main agencies in the Sierra Leonean security sector are cooperative and mutually supportive.

6. Many observers believe that the Special Court trials, which began in June 2004 and are expected to conclude in 2005, may become a source of instability. It is expected that there may be an increased risk that elements hostile to the Court could use violent means to disrupt its work. The need to ensure the protection of witnesses during and after the trials also poses a significant challenge. Consequently, UNAMSIL, in cooperation with the Special Court security team and the Sierra Leone police, is reviewing security arrangements to ensure that the Mission can respond to any eventuality.

7. Although the situation in Liberia is gradually improving, with the deployment of the United Nations Mission there, the security environment in the border areas needs careful monitoring. Sierra Leone's borders continue to require robust patrolling and monitoring until the disarmament, demobilization and reintegration programme in Liberia is completed. Some concerns also continue to be expressed at the security situation along the border with Guinea, where some members of the Guinean armed forces were reportedly observed engaging in farming and hunting activities inside the territory of Sierra Leone. This has prompted RSLAF to deploy closer to the border with Guinea. In the east, similar concerns have been reported about incidents of harassment of Sierra Leoneans on the border along the Meli River. Furthermore, the complicated political and security situation in Côte d'Ivoire may affect Liberia and thus, in turn, Sierra Leone.

III. Local government elections

8. The local elections, held on 22 May 2004, have re-established an important institution of governance whose neglect had been among the major causes of the conflict in Sierra Leone. Given the complexity of the process, and taking into account that 32 years had passed since local government bodies had been suspended, the successful conduct of the election reflects credit on the Sierra Leone people, as well as the National Electoral Commission (NEC) and the Sierra Leone police. As a result of these elections, 475 posts of councillor were filled in 394 wards nationwide. It was encouraging that 2,271,435 voters were registered in the registration process. During the month of April, NEC accepted the nomination of 1,132 prospective candidates, 20 of whom were later disqualified. On 21 May, following appeals by 12 disqualified Sierra Leone People's Party (SLPP) candidates, the Commission ruled that three of them could stand, but the process resulted in the postponement of elections in three wards. In three other wards, technical issues prevented the conduct of elections on 22 May. The elections in all six of these wards were eventually held on 5 June.

9. Of the 1,115 candidates whom the Commission approved to contest the elections, 107 were women; 347 were independent candidates, while the remainder belonged either to the two main political parties, SLPP and the All People's Congress (APC), or to three other parties, whose candidates only contested seats in the Western Area. The Revolutionary United Front Party (RUFP) did not take part in the election, reportedly owing to financial constraints.

10. Following the elections NEC received over 70 appeals and petitions. Most of these were rejected following investigation by the Commission. The Commission also ruled that in eight wards the elections should be re-run on 3 July 2004. According to the certified results, SLPP won in 279 wards, controlling 13 councils, mostly in the south and east. APC won in 27 wards, controlling 4 councils in the north and 23 in the Western Area. In addition, 29 independent candidates were elected.

11. UNAMSIL, the United Nations Development Programme (UNDP) and other international partners were closely involved in supporting the NEC activities. Electoral campaigning, which started on 22 April and ended on 20 May, was generally low-key and peaceful. However, prior to polling day, there were a few complaints of harassment and intimidation of both independent candidates and candidates of the major parties. Some traditional rulers, as well as some government officials, were also alleged to have interfered in the electoral process and the NEC Chairman strongly denounced such practices. During the preparatory phase, 788 temporary Commission staff were trained and deployed nationwide to carry out civic education and, while the overall turnout on polling day was lower than expected, voting was conducted in a peaceful atmosphere, with no major violent incidents reported. National Election Watch, a coalition of 14 civic and non-governmental organizations, fielded some 1,437 accredited observers on polling day. These organizations characterized the elections as generally free, transparent and exempt of violence.

12. UNAMSIL provided extensive logistical support for the elections. This included land and air transport to most chiefdoms, communications support, provision of assistance to the Commission with the establishment of its main

operations centre, and technical advice. UNAMSIL civilian police organized an extensive programme on election policing for the Sierra Leone police. The Public Information Unit of the Mission extended the Commission's outreach with intensive election-related programming and panel discussions, and during the polling period recruited and trained 20 local journalists. In the meantime, UNDP funded civic education activities, managed the disbursement of Commission funds and arranged financial management and accounting training for its field staff. The United Kingdom Department for International Development (DFID) and the European Union (EU) provided technical and financial support for the electoral process.

13. With a view to beginning to prepare for national elections in 2007, the NEC Chairman addressed a letter to the United Nations on 21 April requesting further technical assistance, particularly for the professional development and training of the Commission staff. In this connection, a United Nations electoral needs assessment mission was dispatched to Sierra Leone in June.

IV. Implementation of the UNAMSIL drawdown plan

14. In its resolution 1537 (2004) of 30 March 2004, the Security Council welcomed my intention to adjust the timetable for the UNAMSIL drawdown during 2004, in order to ensure a more gradual reduction in its military strength and a seamless transition to the UNAMSIL residual presence in 2005. This adjustment envisaged a reduction in force strength from its current level of 11,500 to approximately 5,000 troops and 260 military observers during the period from June to December 2004 and, subsequently, to 3,250 troops supported by 141 military observers by 28 February 2005. Under the adjusted drawdown timetable the withdrawal of all UNAMSIL troops from Sector Centre has been completed, with the repatriation of the Sector Centre headquarters staff, the remaining Bangladeshi battalion, the Bangladeshi medical unit, elements of the Bangladeshi signals unit and the Nepalese battalion. Prior to the closure of Sector Centre on 28 May 2004, UNAMSIL handed over the responsibility for security in the Sector to the national security agencies. As this is the first time that UNAMSIL has handed over such large areas to Sierra Leone security agencies, the drawdown is being executed with particular caution. Following the reduction in troop strength from 11,500 to 10,500, the Mission's deployment structure was reconfigured from the three-Sector structure (West, Centre and East) to two Commands, namely, Northern and Southern Commands. The headquarters of the Northern Command is in Freetown and that of the Southern Command is in Koidu.

15. The implementation of the next phase of the drawdown, which will commence in September and be completed in December 2004, will involve deploying the United Nations Force in three strategic locations, namely, Freetown, Kenema and Bo. By the end of this phase the troop strength will have been reduced to 5,000. Of these troops, some 1,500 military personnel will be provisionally retained beyond December 2004, to assist logistically with final repatriation and drawdown. These will be the Kenyan guard and administration company, the Southern and Northern Commands, the Ukrainian transportation and maintenance unit, the Bangladeshi signals unit and the Jordanian level III hospital personnel. In order to ease the administrative burden and facilitate a seamless transition into the new Force configuration, the repatriation of the above-mentioned troops will take place between January and February 2005. The 3,250 remaining troops, together with the

141 military observers who will continue to be present in the country after February, will be stationed at 11 sites throughout the country with the task of supporting the national security agencies to ward off any security threat, as well as assisting them with mentoring programmes.

V. Progress on benchmarks

A. Strengthening the capacity of the Sierra Leone police

16. Since my last report, the Sierra Leone police have generally continued to make progress towards assuming responsibility for the maintenance of law and order. With the support of UNAMSIL and the Commonwealth advisers, the pace of recruitment into the police force has been accelerated and the training of new recruits has been enhanced. The mandated task of reaching the pre-war level of 9,500 trained Sierra Leone police recruits is expected to be achieved by July 2005. To date, a total of 1,377 recruits have been trained, bringing the strength of the Sierra Leone police to 7,903. Taking into account the attrition rate, it is expected that by the end of 2004, a strength of 8,200 will have been reached. The construction of additional barracks for the police is expected to be completed by July 2004 and the expanded capacity of the police training school in Hastings will make it possible to increase the number of recruits trained during one course from the current 400 to 600.

17. The UNAMSIL civilian police strength stands at 126. By December 2004, it is expected to be reduced to 80 officers, with a concurrent reduction in team sites from 18 to 9. The new United Nations civilian police structure will consist of 9 headquarters staff, including the Police Commissioner; 6 strategic advisers (for cross-border issues, diamond-mining policing and airport security); 15 specialized unit advisers dealing with intelligence, the International Criminal Police Organization (Interpol), community policing, the Family Support Unit, driving school and other issues; and 15 United Nations trainers and 35 mentors. The trainers will be deployed to the Hastings police training school and the three regional training centres in Makeni, Kenema and Bo. The mentors will be co-located with the larger Sierra Leone police units.

18. During the reporting period, UNAMSIL has continued to assist the Sierra Leone police to raise its professional standards. In-service courses have included such subjects as community policing, human rights, police administration, fingerprint techniques, intelligence gathering, hard-copy file management. UNAMSIL also funded renovation of the regional police training centres in Makeni and Bo, which has allowed training courses for senior police officers to commence. UNAMSIL and other members of the United Nations family are also running a series of human rights workshops for local police, which concentrate on issues of human rights and the law, police ethics, the rights of women and children and the handling of suspects. So far, some 2,000 police officers have benefited from these courses. However, it is obvious that much more effort will have to be made to raise the level of professionalism of the Sierra Leone police to internationally accepted standards.

19. UNAMSIL also continues to assist in the deployment of the Sierra Leone police in areas being vacated by the Mission. Such deployment depends, however, on manpower and resource issues that remain unresolved, and in particular, on the

availability of infrastructure, especially police stations and barracks. The construction of additional police stations and barracks funded by the UNAMSIL Trust Fund, UNDP and DFID is ongoing and is expected to be completed by December 2004. In this context, DFID and UNDP are funding the construction of eight barracks in Koidu/Motema, Jendema, Makeni, Kamakwe, Tongo, Daru, Segbwema and Kailaun. There is an acute need, however, for additional assistance to make this programme a success. In this regard, it is imperative that donors make further resources available to meet the logistic and infrastructure needs of the Sierra Leone police, to enable them to assume their security responsibilities effectively when UNAMSIL withdraws.

B. Strengthening the capacity of the armed forces

20. RSLAF has been making progress in its restructuring. The envisaged downsizing of the force from 14,000 to 10,500 personnel by 2007 is on track, although resources for the forthcoming phases of the process are yet to be identified. With the support of the United Kingdom-led International Military Advisory and Training Team (IMATT), RSLAF has developed a revised concept of operations for 2004 focusing primarily on operational development. The recently established new military academy represents a significant step towards making RSLAF a modern military institution; and the academy's training programmes have been expanded to include courses for company commanders, commanding officers and senior officers. The Government is also making efforts to improve the operational focus of RSLAF.

21. Cooperation between RSLAF and other security agencies has been enhanced through their participation in the National Security Council and the National Security Council Coordination Group. Similarly, at the local level, provincial and district security committees have helped to build better relations between the central security agencies and local institutions. UNAMSIL has trained a number of RSLAF personnel in military policing, vehicle maintenance, information technology and communications, etc. As a confidence-building measure, Radio UNAMSIL has allotted time slots to RSLAF and the Sierra Leone police to disseminate information on a weekly basis.

22. However, the short-term initiative to address the shortage of barracks, which is being undertaken jointly by UNAMSIL, the Government and donors, may not be completed before 2010. This delay undoubtedly will have an impact on the operational effectiveness of RSLAF. UNAMSIL has continued to render technical and material assistance for this important project.

23. The serious infrastructural and logistical challenges facing RSLAF, which have been highlighted in previous reports, still persist. Inadequate funding, the lamentable state of the army vehicle fleet and the shortage of communications equipment continue to hamper the operational effectiveness of the armed forces, particularly in the border areas, where one third of them are deployed. Unless the Government and donors make a concerted effort to address these challenges, the armed forces are unlikely to be able to assume full responsibility in the future.

C. Consolidation of State authority

24. The Government of Sierra Leone, supported by its development partners, continues to make progress in its efforts to consolidate State authority. In this regard, the magistrate court buildings in Kailahun, Pujehun and Moyamba and the High Court building in Kenema were rehabilitated with the support provided by UNDP and DFID. However, the effective administration of justice remains severely constrained by the shortage of magistrates and judges and their consequent inability to cover all district courts. This has led to the frequent adjournment of cases, heavy caseloads pending before the courts and the overcrowding of prisons in most districts. With assistance from UNDP, the Government is currently making efforts to recruit magistrates and other judicial personnel. It has also received support from the Commonwealth through the secondment of three judges to serve in the higher courts. While these steps will address some of the immediate needs, it is imperative that the challenges facing the justice system in Sierra Leone be addressed in a comprehensive manner, including through structural reforms, in order to ensure the effective administration of justice and the promotion of the rule of law, which remain essential requirements for durable peace and sustainable development in the country.

25. In order to facilitate interaction with youth groups and further promote the National Youth Policy throughout the country, the Ministry of Youth and Sports, supported by UNAMSIL, has established regional offices in Bo, Kenema and Makeni. Another significant development in consolidating the peace process in Sierra Leone was the declaration in April 2004 by the National Resettlement Assessment Committee that the Kissi Tongi chiefdom in Kailahun district is safe for the resettlement of refugees. During the same period, UNAMSIL contingents completed 16 out of 18 quick-impact projects totalling $240,000.

D. Reintegration of ex-combatants

26. The disarmament, demobilization and reintegration (DDR) programme was officially closed on 31 March 2004. In attempting to meet this deadline, the Government of Sierra Leone had to address the problem of a residual caseload of about 2,800 ex-combatants who recently came forward and were deemed eligible to claim their benefits. As a result, they received their final one-time assistance packages in early June. According to the National Commission for Disarmament, Demobilization and Reintegration, a total of 54,000 ex-combatants have received reintegration benefits over the past four years.

27. With regard to the estimated 500 to 2,000 Sierra Leonean ex-combatants who may be present in Liberia, the two Governments, UNAMSIL and the United Nations Mission in Liberia (UNMIL) have agreed in principle that this group will undergo the disarmament and demobilization process in Liberia. They will then be given the option to stay in the country and be included in the reintegration process in Liberia or to return to Sierra Leone. In relation to the 500 to 800 Sierra Leonean ex-combatants who may be present illegally in Côte d'Ivoire, the Government of Côte d'Ivoire foresees that they should be given the option to be repatriated to Sierra Leone or to remain in Côte d'Ivoire as refugees. Although there will be no specific reintegration programmes targeting this group, the Government of Sierra Leone believes that the ex-combatants who opt to return to Sierra Leone should be given an

opportunity to participate in ongoing community transitional projects. Conversely, there are some 450 foreign combatants, including nationals of Liberia, Côte d'Ivoire and Guinea, in internment camps in Sierra Leone. The Liberian combatants will have to be repatriated in time to participate in the ongoing disarmament, demobilization and reintegration programme in Liberia. In the meantime, the European Union is funding a skills training programme that is serving as a transitional measure until the Liberian internees can be incorporated in the Liberian national reintegration programme.

28. UNAMSIL is working with UNMIL in order to ensure that in the disarmament, demobilization and reintegration programme in Liberia particular attention is paid to the reintegration of Sierra Leonean children associated with Liberian fighting forces, as well as to Liberian child ex-combatants currently in Sierra Leone. The Office of the United Nations High Commissioner for Refugees (UNHCR) and its child protection partners intend to conduct individual screening of those children who are currently residing in refugee camps, with a view to incorporating them in the Liberia disarmament, demobilization, rehabilitation and reintegration programme. In the same context, particular attention should be paid to women associated with armed factions, with a particular emphasis on their rehabilitation needs.

E. Restoration of government control over diamond mining

29. During the reporting period, the Government of Sierra Leone has made additional progress in the restoration of its control over diamond mining. Official exports of diamonds from January to May 2004 reached a value of $50 million, compared with $29 million in the same period in 2003. The Government expects overall diamond exports to increase significantly in 2004, with the ongoing Kimberlite mining in Koidu and the anticipated increase in licensed diamond-mining activities throughout the country.

30. Notwithstanding the progress made, illicit mining and smuggling of diamonds persist. While implementing the Kimberley Process certification system, the authorities have accepted the offer of the Kimberley Process secretariat to establish a review mechanism, which would also conduct similar projects in Guinea and Liberia — the other two member States of the Mano River Union. This regional approach and monitoring are expected to enhance efforts to curb cross-border movement of illicit diamonds and enhance cooperation among the countries of the subregion. UNAMSIL has supported the establishment of the diamond crime investigation and intelligence unit of the Sierra Leone police and will continue to assist the Government in strengthening its control of the mining sector.

VI. Human rights, national reconciliation and justice

A. Monitoring and promoting human rights

31. During the reporting period, UNAMSIL remained focused on its human rights monitoring activities, including through visiting police units and prisons and observing court proceedings. The Mission has also intensified its training and capacity-building activities for the security agencies and civil society. In the

meantime, the draft legislation on the proposed national commission for human rights has been submitted to the Parliament for adoption.

B. Protection of children

32. UNAMSIL and the United Nations Children's Fund (UNICEF) continue to assist the Government in strengthening the protection framework for children. The Government requested UNAMSIL and UNICEF to undertake a comprehensive review of the juvenile justice system, focusing on legislation and policies, procedures for cooperation among relevant government actors and the operation of juvenile justice institutions. It is anticipated that the review process will result in a comprehensive reform agenda for the juvenile justice sector in Sierra Leone. Furthermore, support is being provided to the National Steering Committee on Child Rights and Child Protection Training (for RSLAF and the Sierra Leone police), including in the development of training materials for the police. UNAMSIL and UNICEF continue to support the National Commission for War Affected Children in the development of its advocacy agenda and in the operationalization of its trauma-healing centres for war-affected children. It is expected that these centres will also help to address the growing problem of street children, who are vulnerable to exploitation and abuse. In this regard, the Government is developing regulations and policies to prevent and prohibit the employment of children in mining activities, as part of its Core Mining Policy.

33. The Government is currently preparing its next periodic report on the implementation of the Convention on the Rights of the Child and the Optional Protocols thereto. A key challenge is the urgent elaboration and adoption of a comprehensive child rights bill, which would bring national legislation into line with Sierra Leone's international commitments concerning the rights of children. With the support of UNICEF, the Government and key child protection agencies have also developed the main elements of a child poverty alleviation and development framework designed to mainstream issues relating to children in the poverty reduction strategy paper (PRSP) for Sierra Leone. UNAMSIL and UNICEF continue to collaborate with the transitional justice institutions in Sierra Leone in their work relating to children, including with the Special Court on the protection of child witnesses.

C. Gender issues

34. The Human Rights Section has continued to actively promote gender mainstreaming in support of women's rights and the elimination of domestic violence and sexual violence. The Section's work has included the provision of support to the Sierra Leone police Family Support Unit. During the period under review, the courts in Freetown convicted 12 persons for offences involving gender-based violence. In addition, some individuals were prosecuted and sentenced to various terms of imprisonment for indecent assaults on under-age children. These are positive developments compared with the situation in the past when very few such cases were successfully prosecuted by the courts.

D. HIV/AIDS

35. UNAMSIL has continued to disseminate information on the impact of HIV/AIDS to its military and civilian personnel, including through training programmes.

E. Truth and Reconciliation Commission

36. UNHCHR, with the cooperation of UNDP and the Government, has identified local partners to assist with the dissemination of the Truth and Reconciliation Commission's final report, which is scheduled for release in September 2004.

F. Special Court

37. The Special Court for Sierra Leone commenced joint trials of indictees on 3 June 2004, with the trial of members of the former Civil Defence Force, including the former Minister of the Interior, Sam Hinga Norman. The trial of members of the former Revolutionary United Front (RUF) has been scheduled to commence on 5 July, while the beginning of the trial of members of the former Armed Forces Revolutionary Council (AFRC) depends on the appointment of a second trial chamber and the readiness of the defence team.

38. Currently, the Special Court has 84 security officers — 24 international and 60 national staff. They are tasked mainly with access control and courtroom and staff security. In addition, the Sierra Leone police provides 83 personnel to serve as armed static guards at selected locations. However, the Court continues to rely on UNAMSIL with regard to the security of its main site; two United Nations platoons are located there as a dedicated reaction force. In addition, the Court continues to depend on UNAMSIL air transport support for the movement of its personnel to conduct investigations, visit witnesses and carry out its outreach programme. In addition to the logistical support it provides to the Court on a reimbursable basis, UNAMSIL has extended assistance to the Special Court by broadcasting audio feeds of the courtroom trials across Sierra Leone and live broadcasts of the Prosecutor's statements.

39. It is encouraging that after a difficult period with regard to funding, the Court has secured funds for its work until December 2004. The budget for the remaining period of the Court's operation (until December 2005) is in the process of being finalized in consultation with the United Nations Secretariat.

40. In the meantime, the Court is planning an exit strategy on completion of its mandate. In this regard, the Registrar has started negotiations with several countries on the possibility of entering into bilateral agreements on the enforcement of sentences and the relocation of witnesses. Some Governments have already indicated their willingness to cooperate in their regions. Other legal, administrative and logistical follow-up issues are also under review by the Court.

VII. Humanitarian situation and national economy recovery

41. Humanitarian efforts in Sierra Leone continue to be geared towards meeting the needs of Liberian refugees and the repatriation of Sierra Leoneans. Sierra Leone remains host to some 66,000 Liberian refugees, of whom 54,000 are accommodated in eight camps, with the remainder living in urban centres and along the Liberian border. Facilitated voluntary repatriation of Liberian refugees is expected to begin in October 2004, provided that conditions in Liberia are conducive to voluntary repatriation in safety and dignity. A Government of Liberia delegation recently visited all the refugee camps and advised refugees to wait for the organized repatriation programme, as Liberia was not yet ready for a mass return. Consequently, there will be a need to support the refugees and their host communities in 2005 and until the completion of the repatriation operation, which is expected to last until 2006.

42. The repatriation of Sierra Leonean refugees, principally from Guinea and Liberia, is continuing. Since the programme resumed in January 2004, some 15,595 Sierra Leoneans have been repatriated and it is estimated that, upon completion of the repatriation programme at the end of June 2004, a further 6,000 Sierra Leoneans will have been repatriated from within the subregion. UNHCR will then start phasing out assistance to Sierra Leoneans in countries of asylum. As at the end of May, over 261,000 Sierra Leonean refugees had returned since the beginning of the repatriation operation in September 2000.

43. Progress continues in the reconstruction of the education and health sectors. Schools have reopened in all parts of the country and programmes to train teachers are fully on track. Primary-school enrolment has increased by 70 per cent since 2002 and complementary rapid education programmes for young people have been expanded. The government programme aimed at increasing the enrolment of girls in secondary schools, in particular in the north and east of the country, is being well received. Health services have improved and most districts now have a functioning referral hospital. However, despite the heavy investments of the European Union, the World Bank and the African Development Bank, the educational sector is still beset by problems, including insufficient schools, staff and teaching materials. Severe capacity constraints, including shortages of personnel and a lack of equipment and medical supplies, continue to impede further progress in the health sector.

44. While the country is recovering and substantive progress has been made, improvement has yet to be felt in many areas, particularly in the most devastated districts and those most affected by displacement. In order to ensure the continued consolidation of peace and the advancement of recovery, support must be given to the reintegration of returning populations and recovery efforts must benefit all areas of the country in an equitable fashion.

45. In order to assist the Government in the most vulnerable areas, the United Nations transition support teams established by the United Nations country team have identified needs and priorities and developed strategies for a smooth transition towards longer-term development. The aim is to ensure the durable reintegration of returning populations and the provision of assistance to highly vulnerable communities during the transition. Currently, these teams are active in Kambia, Kono and Kailahun. Plans are under way to expand their activities to all other

districts by the end of 2004. This will be done in synchronization with the drawdown of the Office for the Coordination of Humanitarian Affairs (OCHA) and UNAMSIL civil affairs field offices so as to ensure a seamless handover of key responsibilities. In this regard, the Government, support teams, UNAMSIL and UNDP jointly organized planning skills training workshops for all district recovery committees. The main objective of the workshops was to enhance the analytical skills of the members of these committees and to guide them in preparing the district transition reports, which will feed into the poverty reduction strategy paper and will constitute a handover note to the district councils. Similar training is being planned for newly elected local councillors.

46. Sierra Leone's economic performance continues to improve. In 2003, gross domestic product grew by an estimated 6.5 per cent, marking the fourth year of sustained economic recovery. During the first quarter of 2004, a major kimberlite diamond-mining company began production. Offshore oil exploration is expected to get under way soon. Sierra Leone's recovery is being propelled by the rapid growth of donor-financed imports, large-scale reconstruction activities, major increases in land under cultivation and increased investor confidence, as well as growing remittances, investments and tourism on the part of the Sierra Leone expatriate community and broadly sound fiscal and monetary policies.

47. However, inflation will require attention. In 2003, consumer inflation grew by an average of 6.6 per cent because of domestic borrowing by the Government that exceeded projections, exchange rate depreciation and the increase in international petroleum prices. The March 2003 to March 2004 inflation rate suggests some acceleration (11 per cent in Freetown, 9.5 per cent in Bo, 16.5 per cent in Kenema and 22 per cent in Makeni). To keep inflation down, it will be necessary to further reduce the need for domestic bank financing of government deficits, while increasing the output of the productive sector of the economy.

48. A sustained high rate of growth will require continued policy reforms. In addition to sound macroeconomic policies, key priorities include: the identification of Government strategies for poverty reduction; the strengthening of the investment climate, including better infrastructure, fair and predictable regulation and a good investment code; trade reform; strengthened property rights; and the continued fight against corruption.

49. In addition, important challenges have to be addressed, including the decline in donor support to Sierra Leone as a result of an evident shift of priorities. In the case of the World Food Programme, donor response was down to 40 per cent this year from more than 90 per cent in past years. With the projected decline in donor support, the economy is expected to slow down by 2005 to an annual growth of below 4 per cent from its current level of above 6 per cent.

VIII. The regional dimension

50. On 20 May 2004, the Presidents of Guinea and Sierra Leone and the Chairman of the National Transitional Government of Liberia, held a one-day summit in Conakry to officially reactivate the Mano River Union. The Heads of State expressed their commitment to promoting confidence-building measures and security in the subregion, to strengthening cooperation among their countries and to speeding up their integrated and sustainable economic development. At the

invitation of the three Heads of State, the Presidents of the Republic of Côte d'Ivoire and Mali also participated in the summit.

IX. Cooperation and coordination with other peacekeeping operations

51. UNAMSIL, UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) have continued their efforts to establish mechanisms for cross-border and inter-mission cooperation. The Heads of Mission and Force Commanders of the three operations continue to hold regular meetings to establish the mechanisms for joint planning and information-sharing. My Special Representative for Sierra Leone undertook a visit to Liberia in May 2004 to exchange views with his counterpart and to review the situation in their respective mission areas. In April 2004, the UNAMSIL civilian police commissioner and the Sierra Leone Inspector-General of Police travelled to Liberia together to meet with the Director General of the Liberia National Police and the UNMIL civilian police commissioner and to establish mechanisms for joint planning and information-sharing. It is hoped that these initiatives will help to strengthen the police networks in the subregion.

52. UNAMSIL has established a coordinating working group to develop a concept of inter-mission cooperation, which will, among other things, facilitate cross-border military operations. The working group participated in the forum on subregional cooperation in Dakar organized by the United Nations Office for West Africa on 29 and 30 April 2004. UNAMSIL continues to liaise closely with ONUCI and UNMIL. The Commanders of UNAMSIL Sector East and UNMIL Sector 2 met in March 2004 at the border village of Gendema to exchange views on matters of mutual concern. Arrangements are being concluded to continue such meetings on a monthly basis. Liaison officers have been exchanged between UNAMSIL and UNMIL, and plans are under way to extend this arrangement to ONUCI in the near future. Significant progress has already been made in the sharing of assets, as exemplified by the continued support provided by UNAMSIL to UNMIL and ONUCI.

X. Observations and recommendations

53. During the reporting period, the Government of Sierra Leone has made significant progress in consolidating peace and in promoting national reconciliation and economic recovery. This progress has been facilitated by the gradual and carefully measured approach in implementing the UNAMSIL drawdown plan. Planning to ensure a seamless transition to the UNAMSIL residual presence in 2005 is being finalized. The steady improvement in the security situation in the country helped create an environment enabling UNAMSIL to commence transferring primary responsibility for the national security of the country to the Government. The smooth takeover of the responsibility for security of the Northern and Southern Provinces by the Government marks a milestone in the consolidation of peace and stability in the country. The Government's commitment to staying the course is encouraging.

54. The holding of successful local elections on 22 May 2004 was an important step in the Sierra Leonean peace process. The election of town and district councils

is a vital element in building institutions and enhancing governance in the country. The people of Sierra Leone, the Government and political parties deserve to be congratulated on the successful completion of this important process. I applaud the efforts of the National Electoral Commission, which organized and conducted the elections, and international partners, which provided vital assistance, including, logistical, technical, and financial support. It is important that the newly elected local councils become an instrument for improving the life of their communities. It is also hoped that the people of Sierra Leone will take advantage of the re-establishment of local government administrative structures as a means of addressing the root causes of the conflict.

55. While these promising developments should be welcomed, serious logistical challenges confronting the Sierra Leone police and, especially, RSLAF must be addressed if progress is to be sustained. Of particular importance is the provision of adequate equipment and infrastructure to the armed forces to enhance their capacities and enable them to take over all security responsibilities effectively as UNAMSIL draws down. Additional and substantial donor assistance will be urgently required in this important area. It is important, therefore, for the Council to join the United Nations in appealing to Member States to provide urgently the much-needed assistance for RSLAF.

56. It is unfortunate that the incidents mentioned above in this report have occurred between the armed forces and the Sierra Leone police as the Government takes over from UNAMSIL responsibility for security throughout the country. It is obvious that long-lasting peace and stability in Sierra Leone cannot be guaranteed without collaboration between these two security forces. It is therefore essential that the Government implement expeditiously the action plan it adopted earlier, aimed at addressing major security sector gaps, and that it continue to intensify efforts to find solutions to the issue of harmonizing relations between the Sierra Leone police and RSLAF through the continued sensitization of their personnel and through disciplinary measures. The swift action already taken by the Government in this regard and the determination of the leadership of the two agencies to investigate recent incidents and to adopt a common strategy with a view to preventing their recurrence in the future should be commended.

57. Although the Government of Sierra Leone has made considerable progress in consolidating peace, including the restoration of its authority throughout the country, much more remains to be done to enhance its capacity to deliver public services in the provinces. Both the authorities and donors are encouraged to provide further assistance in this important area. In the meantime, it is encouraging that the human rights situation in the country has improved. The work of the Truth and Reconciliation Commission has been completed, while that of the Special Court has progressed satisfactorily, despite the financial constraints that have affected both institutions in the past.

58. The efforts of the Government to curb illegal diamond-mining activities have continued to generate additional revenue from this vital sector. In this connection, the work initiated by the Government and its partners through the High Level Steering Committee on Diamond Sector Reform is most welcome, having in mind the need to ensure that this sector contributes to the accelerated growth of the national economy.

59. The ongoing efforts to improve the overall situation in Liberia continue to have a positive impact on the situation in the whole of the Mano River region. The recent summit of the Mano River Union in Conakry, in May 2004, is an encouraging development, which may create a positive momentum in the subregion. Timely assistance by donors will be vital to strengthen the Mano River Union secretariat and to advance the implementation of initiatives agreed upon.

60. In conclusion, I wish to express my appreciation to troop- and police-contributing countries, as well as to the Economic Community of West African States (ECOWAS) and donor countries, for their unwavering support towards consolidating the peace in Sierra Leone. I am also grateful to my Special Representative, Daudi Ngelautwa Mwakawago, all UNAMSIL military and civilian personnel and other United Nations agencies, as well as non-governmental organizations, for their important contribution to the steady recovery of the peace consolidation process in Sierra Leone.

Annex

A. United Nations Mission in Sierra Leone: contributions as at 16 June 2004

Country	*Military observers*	*Staff officers*	*Troops*	*Civilian police*	*Sector headquarters staff*	*Total*
Bangladesh	15	17	1 409	3	64	1 508
Bolivia	6					6
Canada	5			9		9
China	6					6
Croatia	10					10
Czech Republic	5					5
Denmark	2					2
Egypt	10					10
Gambia	15			4		19
Germany			16			16
Ghana	7	9	776	8		800
Guinea	12					12
India				6		6
Indonesia	10					10
Jordan	10	4	118	4		136
Kenya	12	9	1 006	8		1 035
Kyrgyzstan	2					2
Malawi				4		4
Malaysia	10			4		14
Mali	5					5
Mauritius				2		2
Namibia				2		2
Nepal	10	4	599	4		617
New Zealand	2					2
Nigeria	9	14	1 551	6	57	1 637
Norway				3		3
Pakistan	15	19	3 788	2	42	3 866
Russian Federation	13	4	110	3		130
Senegal				7		7
Slovakia	2					2
Sri Lanka				6		6
Sweden	3			4		7
Thailand	5					5
Turkey				7		7
Ukraine	5	4	622			631

Country	*Military observers*	*Staff officers*	*Troops*	*Civilian police*	*Sector headquarters staff*	*Total*
United Kingdom of Great Britain and Northern Ireland	15	7		11		33
United Republic of Tanzania	12					12
United States of America				1		1
Uruguay	11					11
Zambia	9	5	821	10		845
Zimbabwe				4		4
Total	**200**	**96**	**10 816**	**122**	**163**	**11 450**

Annex

B. United Nations Mission in Sierra Leone: contributions as at 22 June 2004

Country	*Military observers*	*Staff officers*	*Troops*	*Civilian police*	*Sector headquarters staff*	*Total*
Bangladesh	15	17	1 409	3	64	1 508
Bolivia	6					6
Canada	5			9		9
China	6					6
Croatia	10					10
Czech Republic	5					5
Denmark	2					2
Egypt	10					10
Gambia	15			4		19
Germany			16			16
Ghana	7	9	776	8		800
Guinea	12					12
India				6		6
Indonesia	10					10
Jordan	10	4	118	4		136
Kenya	12	9	1 006	8		1 035
Kyrgyzstan	2					2
Malawi				4		4
Malaysia	10			4		14
Mali	5					5
Mauritius				2		2
Namibia				2		2
Nepal	10	4		4		18
New Zealand	2					2
Nigeria	9	14	1 551	6	57	1 637
Norway				3		3
Pakistan	15	19	3 788	2	42	3 866
Russian Federation	13	4	110	3		130
Senegal				7		7
Slovakia	2					2
Sri Lanka				6		6
Sweden	3			4		7
Thailand	5					5
Turkey				7		7
Ukraine	5	4	622			631

Country	*Military observers*	*Staff officers*	*Troops*	*Civilian police*	*Sector headquarters staff*	*Total*
United Kingdom of Great Britain and Northern Ireland	15	7		10		32
United Republic of Tanzania	12					12
United States of America				1		1
Uruguay	11					11
Zambia	9	5	821	10		845
Zimbabwe				4		4
Total	**200**	**96**	**10 217**	**121**	**163**	**10 850**

Map No. 4132 Rev. 26 UNITED NATIONS
June 2004

Department of Peacekeeping Operations
Cartographic Section

United Nations S/2004/537

Security Council

Distr.: General
6 July 2004

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Letter dated 6 July 2004 from the Secretary-General addressed to the President of the Security Council

I have the honour to convey the attached communication, dated 21 June 2004, which I received from the Secretary-General of the North Atlantic Treaty Organization.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-41508 (E) 080704

Annex

Letter dated 21 June 2004 from the Secretary-General of the North Atlantic Treaty Organization to the Secretary-General

In accordance with Security Council resolutions 1386 (2001) and 1510 (2003), I attach a report on ISAF operations covering the period from 11 February to 11 May 2004. I would appreciate your making this report available to the Security Council.

(*Signed*) Jaap de **Hoop Scheffer**

Enclosure

Quarterly report to the United Nations on the operations of the International Security Assistance Force in Afghanistan

1. The report covers the period from 11 February to 11 May 2004. As at 6 May 2004, the International Security Assistance Force (ISAF) numbered 6,265 personnel, including troops from non-NATO countries.

2. As reported, ISAF assumed command and control of its first provincial reconstruction team at Konduz on 30 December 2003. Work continues towards NATO assumption of command of additional provincial reconstruction teams in the north and the west of the country. With the establishment of additional teams and the assumption of responsibilities for Kabul International Airport, changes are expected regarding States represented in the ISAF mission and regarding associated numbers of national troops.

Status of partner/non-NATO contributing countries

3. As at 6 May 2004, a total of 26 NATO countries and 11 non-NATO countries are contributing to the ISAF mission.

Security

4. The security situation across Afghanistan remains fragile; while security in the area of operations around both Kabul and Konduz is expected to improve in the medium and long term, there remains a significant risk of unrest, outbreak of factional violence and attacks by opposing militia forces; this is especially the case ahead of the forthcoming elections.

5. In the area of operations around Kabul, the overall security situation over the last three months has been relatively calm but unstable, with continual threat warnings. ISAF has been able to pursue its framework security tasks in association with the Afghan National Army and the Kabul City Police. Recent initiatives by ISAF to engage the National Directorate for Security have been successful and they may lead to an increase in intelligence-sharing and cooperation.

6. In the area of operations of the Konduz provincial reconstruction team, the security situation has hardly changed in the last three months. It remains calm but instability prevails, resulting from the presence of warlords and narcotics. The opposing militia forces have no organized presence in the province but the area is of interest to them as a centre of narcotics production. Frictions between factions and between tribes continue to undermine security; they are often related to trafficking in narcotics. The provincial reconstruction team has gradually extended its patrol presence beyond Konduz to other towns and villages in its area of operations. These patrols have not led to any increase in tensions or to reactions against personnel of the team.

7. In support of the Bonn Declaration and of security sector reform, ISAF has continued to take active steps to assist the Afghan Transitional Authority in the improvement of the security situation in its area of operation, including by assisting:

(a) The Afghan Transitional Authority in providing area security presence during voter registration in the Kabul and Konduz areas of operation and beyond;

(b) The Transitional Authority in providing security for anti-terrorist operations within Kabul;

(c) The Transitional Authority in providing security support during the disarmament, demobilization and reintegration and heavy weapon cantonment and survey processes in the Kabul and Konduz areas of operation and in areas beyond the current areas of operation;

(d) The United Nations Assistance Mission in Afghanistan (UNAMA) and the Transitional Authority in providing security by conducting force protection assessments of United Nations facilities and by securing ceremonial and meeting locations as well as various visits and events.

Support to the Afghan Transitional Authority and UNAMA

8. The implementation of the Bonn Agreement was thoroughly reviewed at the March 2004 Berlin Conference. During the conference, the Afghan Transitional Authority/Government of Afghanistan published its road map for the near future, committing Afghanistan to free and fair elections and asking NATO and the Coalition to deploy international military forces in support of the national police and the Afghan National Army in numbers large enough to protect the integrity of the electoral process against terrorism, factionalism and lawlessness. The Bonn Agreement will remain on track with the successful conduct of free and fair elections across the country.

9. ISAF remains fully engaged, in its supportive role, in the disarmament, demobilization and reintegration process, both in Kabul and more generally in Afghanistan. Recent initiatives have sought to re-energize that process and in particular to achieve the disbandment of entire units. However, progress is proving to be extremely slow, owing to the continuing delays by Afghan commanders and warlords who remain reluctant to engage meaningfully in the process.

10. ISAF is strongly committed in its supporting role to the cantonment of heavy weapons and has successfully completed phase three of that process in Kabul. The cantonment of the remaining heavy weapons in and around the capital recommenced on 27 March 2004, marking the final phase of the programme. However, the most difficult cantonments have yet to be negotiated. ISAF envisages that heavy weapon cantonment in the capital will be completed prior to the elections. In the northern region, heavy weapon cantonment and the disarmament, demobilization and reintegration process are strained by the tension between supporters of Generals Dostum and Atta.

11. While the United States is the lead nation for the training and equipping of the Afghan National Army (with the participation of France and the United Kingdom in leading support roles), ISAF continues to coordinate some training and development opportunities. Embedded training teams and a "mentor" programme will assist the leadership and professional development of Afghan National Army headquarters and counterpart units.

12. The further enhancement of the capability and authority of the Afghan national police forces, particularly outside Kabul, remains critical to both the rule of law and the authority of the central government. The German police continues to assist with the reconstitution and training of the Kabul City Police at the Afghan Police Academy. Some 8,000 policemen have been trained so far but this number remains

insufficient to ensure nationwide coverage. ISAF continues to support the police development programme through joint patrolling. Challenges remain regarding recruitment of suitable personnel and retention when higher salaries can be gained outside the police. The United States continues to support the German Afghan National Police programme with the establishment of six regional police training centres, which have graduated over 10,000 national police officers, and have the goal of training 20,000 police by the end of June.

13. Building on the work by the United Kingdom with the Central Narcotics Directorate of the Ministry of the Interior and with the United Nations Office on Drugs and Crime, the Government of Afghanistan held its first international conference on drugs on 8 and 9 February 2004. The Afghan Transitional Authority, including President Karzai, took the opportunity to express its commitment to implement the Afghan National Drug Control Strategy, which the Transitional Authority had adopted in May 2003. This five-year national strategy envisages a 70 per cent reduction in the production of poppy by 2007 and complete elimination by 2012. NATO has included guidance and direction for counter-narcotics operations in its new operational plan.

14. Judicial reform efforts present significant challenges to the Afghan Transitional Authority and to the international community as both work to extend the influence of the Authority outside Kabul. Current reform efforts appear to be fragmented and greater coordination and increased involvement by the international community is urgently required. Particular focus must be made on infrastructure improvements (including prisons), training of judges and attorneys, and codification and enforcement of the law. ISAF continues to work closely with government ministries to identify and address issues that impact directly upon the rule of law and to provide security.

Future ISAF operations

15. Provincial reconstruction teams are the central element of ISAF plans to expand its mission. ISAF intends to field additional teams in Afghanistan backed up by the necessary operational enablers and supporting infrastructure. Although provincial reconstruction teams do not represent significant military combat power in the conventional sense, the Coalition members consider them to be an appropriate vehicle for meeting the United Nations mandate of assisting the Afghan Transitional Authority/Government of Afghanistan and UNAMA in extending its authority and security to the provinces. The expanded presence of ISAF through provincial reconstruction teams will be an important element of ISAF support to the upcoming election process.

16. The relationship among ISAF, the Operation Enduring Freedom Coalition, the Afghan Transitional Authority and UNAMA in Kabul has allowed for a better coordination of the efforts undertaken to achieve the Transitional Authority's desired end state. The emphasis now will be on achieving a similar outcome outside the Kabul area in conjunction with other active participants of the international community.

17. Concerning Kabul International Airport, while the objective remains to pass control and management of the airport back to national authorities, it is recognized that this will not happen for at least two years, particularly as there are more urgent demands on the resources of the Afghan Transitional Authority. A common

approach of the international community with respect to the rehabilitation of the airport is therefore crucial. In order to expedite this process, the International Civil Aviation Organization, the World Bank and NATO have created a framework document that was approved by the Afghan Transitional Authority on 27 February 2004. This document paves the ground for the medium- and long-term development of the airport towards established international standards. In the meantime, preparations are under way to enable NATO to take over the airport from Germany on 1 June 2004. Civilian and military use of the airport continues to expand. As usable space is critical for the expansion of facilities and the improvement of ramps, ISAF is currently engaged in considerable construction work.

Conclusions

18. ISAF is continuing to fulfil its United Nations mandate, the provision of security assistance to the Afghan Transitional Authority, within its area of operations. Framework and responsive security operations have been conducted successfully and without significant incident. It is noteworthy that security operations are increasingly being conducted jointly with Transitional Authority security forces, enabling ISAF to underline its role as an assistance force.

19. The lack of substantive progress with the disarmament, demobilization and reintegration process continues to impede efforts to extend central government authority beyond Kabul and presents a risk to the security and viability of elections. In addition to framework and reactive security operations, ISAF continues to execute a supporting role in security sector reforms, principally in respect to disarmament, demobilization and reintegration and the associated heavy weapon cantonment programmes, but also in respect to other pillars, within means and capabilities.

20. With the benefit of continuity under NATO command, ISAF is strengthening the foundations of its operations in Afghanistan and continuing to develop the breadth of its capabilities, including support to the election process. While there remains room for further progress, engagement and coordination with the Coalition and with both government and non-governmental agencies are increasing steadily, permitting greater coherence and efficiency.

United Nations S/2004/538

Security Council

Distr.: General
6 July 2004

Original: English

Letter dated 6 July 2004 from the Secretary-General to the President of the Security Council

I have the honour to convey the attached communication, dated 6 July 2004, which I received from the Director General of the International Atomic Energy Agency (see annex).

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

04-41471 (E) 060704

Annex

Letter dated 6 July 2004 from the Director General of the International Atomic Energy Agency to the Secretary-General

I should be grateful if you would kindly transmit the attached letter to the President of the Security Council for distribution to all Council members as a United Nations document.

(*Signed*) Mohamed **ElBaradei**

Enclosure

Letter dated 6 July 2004 from the Director General of the International Atomic Energy Agency to the President of the Security Council

I refer to my letter of 14 July 2003 to the President of the Security Council, in which I reported to the Council, pursuant to the provisions of Security Council resolutions 687 (1991), 707 (1991) and 715 (1991) and other relevant resolutions, on verification activities carried out at Location C Nuclear Material Storage Facility near the Tuwaitha complex south of Baghdad, Iraq (S/2003/711, annex).

On 19 June 2003, the International Atomic Energy Agency was advised by the United States Government of its intention, due to security concerns, to transfer to the United States, at a future date, some of the nuclear material stored at Location C. It also requested IAEA to keep the information about the intended transfer confidential for the same security reasons. At that time, IAEA took note of the United States' intention to remove from Agency verification in Iraq the nuclear material in question, and only expressed a view on the Agency's verification requirements.

On 30 June 2004, IAEA received information from the United States Government that the transfer took place on 23 June 2004. According to information provided by the United States, the transferred material consisted of low enriched uranium in the form of approximately 1.8 tons of uranium enriched to 2.6% in uranium-235, as well as some additional 3 kilograms of uranium of various low enrichments. IAEA understands that this material is now under the jurisdiction and control of the United States. The nuclear material that remains at Location C is mostly natural uranium, some depleted uranium and some low enriched uranium waste, which is required to be subject to IAEA monitoring and verification under the above-referenced Security Council resolutions.

In addition, the United States Government informed the Agency that approximately 1,000 highly radioactive sources, most of which were previously stored at Location C, were also transferred to the United States. The radioisotopes remaining in Iraq and the Agency's responsibilities for these isotopes continue to be governed by Security Council resolution 707 (1991).

I would be grateful if you would arrange for this letter to be distributed as a document of the Security Council.

(*Signed*) Mohamed **ElBaradei**

United Nations S/2004/539

Security Council

Distr.: General
6 July 2004

Original: English

Report by the Secretary-General concerning the credentials of the alternate representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 2 July 2004 from the Representative of the United States of America to the United Nations stating that Mr. Reed J. Fendrick has been appointed alternate representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

04-41445 (E) 060704

United Nations S/2004/540

Security Council

Distr.: General
6 July 2004

Original: English

Report of the Secretary-General concerning the credentials of the representative of the United States of America on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received credentials signed on 1 July 2004 by the Secretary of State of the United States of America, stating that Mr. John C. Danforth has been appointed representative of the United States of America on the Security Council.

In the opinion of the Secretary-General, these credentials are in order.

04-43814 (E) 230704

United Nations S/2004/541

Security Council

Distr.: General
6 July 2004

Original: English

Letter dated 1 July 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

On 13 April 2004, the Committee established pursuant to paragraph 6 of Security Council resolution 1373 (2001) (the Counter-Terrorism Committee) submitted a work programme for the eleventh 90-day period (S/2004/284). Annexed hereto is the Committee's work programme for the twelfth 90-day period, which covers the months from July to September 2004 (see annex).

The Committee will continue to work with States on monitoring the implementation of resolution 1373 (2001), operating on the principles of cooperation, transparency and equal treatment. The Committee's main objectives will remain maintaining and strengthening the consensus within the international community on the importance of combating terrorism, with particular emphasis on establishing practical measures designed to increase the capabilities of States to combat terrorism; helping to identify and address the problems faced by States in implementing resolution 1373 (2001); and encouraging international coordination and cooperation by, for instance, stimulating the process of increasing the number of States that are parties to the international conventions and protocols relating to counter-terrorism. All of these tasks contribute to the Committee's mandate, as set out in paragraph 6 of the resolution, to monitor its implementation.

The twelfth work programme covers the ongoing transitional period during which the Committee in cooperation with the United Nations Secretariat will continue the implementation of the provisions of Security Council resolution 1535 (2004) and the recommendations contained in the Committee's report (S/2004/124) to enable the Counter-Terrorism Committee Executive Directorate to become operational as soon as possible.

In order to attain those general goals, the Committee will continue its work in the areas of technical assistance and cooperation with international organizations in accordance with the decisions adopted by the Committee.

The Committee welcomes the support received from Member States, the United Nations Secretariat and international, regional and subregional organizations, and pays tribute to the contribution of its team of experts.

04-41496 (E) 070704

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Alexander V. **Konuzin**
Chairman
Security Council Committee established pursuant to
resolution 1373 (2001) concerning counter-terrorism

Annex

Work programme of the Counter-Terrorism Committee (1 July-30 September 2004)

1. The present document sets out the work programme of the Counter-Terrorism Committee for its twelfth 90-day period, from 1 July to 30 September 2004. This work programme updates that submitted for the eleventh 90-day period (S/2004/284). This work programme will have to be adapted according to the implementation of Security Council resolution 1535 (2004).

Summary

2. The Committee will:

(a) By 31 July:

(i) Consider and endorse the organizational plan for the Counter-Terrorism Committee Executive Directorate, that is to be submitted by the Executive Director through the Secretary-General, as provided in paragraph 4 of resolution 1535 (2004);

(ii) Continue to circulate the States assistance matrix on a monthly basis, to identify assistance needs and offers;

(iii) Further develop strengthening cooperation between the Counter-Terrorism Committee and the Committee established under Security Council resolution 1267 (1999) concerning Al-Qaida and the Taliban;

(iv) Complete the review of 30 further reports;

(v) Continue to work on countries' assessments of assistance needs that can be shared with interested donor States and organizations, with the prior approval of the country concerned;

(vi) Begin the preparation in accordance with Security Council resolution 1535 (2004) of the first visit of the Counter-Terrorism Committee experts with the representatives of international organizations to one of the States with its consent in order to enhance the monitoring of the implementation of resolution 1373 (2001) and the direct dialogue with the country authorities to make clear its needs in particular technical assistance programmes.

(b) By 30 September:

(i) Complete the review of 25 further reports;

(ii) Begin with the League of Arab States the preparation of the fourth special meeting of the Counter-Terrorism Committee with international, regional and subregional organizations in Cairo;

(iii) The Chairman will have made a briefing to interested delegations about the Committee's work.

I. Implementation of resolution 1373 (2001)

3. The Committee and its subcommittees will continue to review the reports submitted by States pursuant to paragraph 6 of resolution 1373 (2001).

4. By 30 June 2004 the Committee had received 515 reports from States and others. They include 160 second reports from Member States and 2 from others, 116 third reports from Member States and 40 fourth reports from Member States. As indicated earlier, all States have submitted their first reports.

5. Nevertheless, it should also be noted that 71 States have missed the deadlines for submission of their respective reports. The Committee urges all States that have not submitted their reports on time to submit them as soon as possible, in fulfilment of the provisions of resolution 1373 (2001). The Committee remains ready to work with them to find a way to progress towards the common objective of combating terrorism in the terms established by resolution 1373 (2001). The Chairman of the Committee will continue to provide the Security Council with the list of States late in the submission of their reports. The list will be released to the Security Council every six months, at the time of the Chairman's report to the Security Council; it includes the States (if any) that have contacted the Committee and those that have asked for assistance.

6. In accordance with resolution 1456 (2003), the Committee will continue to report regularly on progress made by States regarding their obligation to report to the Security Council pursuant to paragraph 6 of resolution 1373 (2001).

7. Bearing in mind the call for all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism contained in paragraph 3 (d) of Security Council resolution 1373 (2001) and paragraph 2 (a) of the declaration annexed to Security Council resolution 1456 (2003), the Committee will remain committed to ensuring that the largest possible number of States become parties to the 12 pertinent international conventions and protocols and incorporate that important body of international law into their domestic legislation.

II. Work of the Committee

8. On 26 March 2004 the Security Council adopted resolution 1535 (2004), by which it endorsed the report on the revitalization of the Committee (S/2004/124). In accordance with the resolution the Counter-Terrorism Committee Executive Directorate was established and the Committee, in cooperation with the appointed Executive Director and the United Nations Secretariat, will work to make the new structure operational as soon as possible. The Committee will consider the organizational plan for the Counter-Terrorism Committee Executive Directorate that the Executive Director is to submit. The Chairman of the Committee will present the plan to the Security Council for its endorsement and further promotion of its implementation. At the same time the Committee will continue to operate effectively throughout the transitional period.

9. The Committee has agreed that it should strengthen and integrate its efforts in the facilitation of technical assistance and reinforcing coordination and cooperation with international, regional and subregional organizations as stated in its reports (S/2004/70 and S/2004/124). During this work programme the Committee will proceed with a thorough re-evaluation of its work in those areas, consistent with the report of the Chair of 14 November (S/2004/70) and the revitalization report (S/2004/124). In order that technical assistance becomes a priority in all areas of the Committee's work, and in preparation for the assumption of this function by the Counter-Terrorism Committee Executive Directorate, the Technical Assistance Team was integrated with the larger group of experts.

10. While pursuing a case-by-case approach in monitoring the implementation of resolution 1373 (2001), the Committee will bear in mind all international best practices, codes and standards that are relevant to the implementation of the resolution.

III. Technical assistance

11. The facilitation of the provision of technical assistance to countries in need will remain one of the Committee's priorities. The report of the Chair of 14 November is clear about the need to study and develop the means necessary to ensure that technical assistance receives the appropriate attention from the Committee and the Security Council.

12. The Committee has developed the Directory of Counter-Terrorism Information and Sources of Assistance, which can be consulted on its web site, at http://www.un.org/Docs/sc/committees/1373/ctc_da/index.html. The Directory is designed to be a source of information on counter-terrorism-related best practices, model laws and available assistance programmes. The Committee encourages all States seeking assistance or guidance in the matters covered by resolution 1373 (2001) to use this online information tool.

13. The Committee and its experts are ready, wherever possible, to facilitate the provision of assistance programmes to States in order to further the implementation of resolution 1373 (2001).

14. One of the priority areas of the activity of the Committee will remain the work on countries' assessments of assistance needs. It will be necessary to start elaborating the procedures regulating the sharing of such information between the Committee and the interested donor States and organizations.

15. As provided by Security Council resolution 1535 (2004), the Committee will start to prepare the first visit of the Counter-Terrorism Committee experts and the representatives of international organizations to one of the States in order to enhance the monitoring of the implementation of resolution 1373 (2001) and the direct dialogue with the country authorities to make clear its needs in particular technical assistance programmes.

IV. Transparency in the work of the Committee

16. Transparency will continue to be a hallmark of the work of the Committee.

17. The Committee will continue to provide information on its activities on a regular basis, including briefings of interested delegations by the Chairman. The next briefing will be held before the end of September.

18. The Committee has an informative web site (http://www.un.org/sc/ctc) that has become an essential source of information on all aspects of the implementation of resolution 1373 (2001).

19. The Committee, through its Chairman, the Executive Director and, where appropriate, the Committee's experts, will continue to maintain close relations with organizations and programmes of the United Nations system on aspects relevant to international counter-terrorism efforts, within the scope of the mandate contained in resolution 1373 (2001). Special attention will be paid to strengthening cooperation between the Counter-Terrorism Committee and the Committee established pursuant

to resolution 1267 (1999) concerning Al-Qaida and the Taliban, as well as the new Committee established under resolution 1540 (2004) on prevention of proliferation of nuclear, chemical and biological weapons.

20. States are encouraged to make direct contact with the subcommittees or experts to seek any clarification on the issues covered in their correspondence with the Committee or on any other issue (tel.: 1-212-963-3520 or 1-212-457-1886; fax: 1-212-963-7878; e-mail: ctc@un.org).

21. The Committee has updated its web site as a source of detailed information on all issues related to resolution 1373 (2001). The Committee will maintain a matrix of technical assistance programmes by international, regional and subregional organizations. The Committee will continue to encourage all relevant organizations to contact it on a regular basis to ensure that the information provided in the new matrix is both accurate and useful for Member States seeking technical assistance. The Committee also encourages organizations to continue to submit information on international best practices, codes and standards relevant to the implementation of resolution 1373 (2001) and on any modes of assistance and guidance in implementing those best practices, codes and standards.

V. Cooperation between the Committee and international, regional and subregional organizations

22. The Committee has continued to expand its contacts and cooperation with international, regional and subregional organizations as outlined in the action plan agreed following the special meeting of the Committee held on 6 March 2003. The Committee has accepted the proposal of the League of Arab States to host the fourth special meeting of the Counter-Terrorism Committee with the international, regional and subregional organizations in Cairo later this year. Following the approach agreed by the Committee it will start with the League of Arab States the preparation of the meeting.

23. The Committee, through its Chairman, the Executive Director and, where appropriate, the Committee's experts, will continue to establish contacts with organizations outside the United Nations system by attending regional meetings and conferences.

VI. Future work of the Committee

24. The Committee, including through the Chair, will work closely with the Executive Director of the Counter-Terrorism Committee Executive Directorate in order to contribute to his success in the implementation of the provisions of resolution 1535 (2004) and the recommendations in the Committee's report (S/2004/124).

United Nations S/2004/542

Security Council

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Letter dated 6 July 2004 from the Secretary-General addressed to the President of the Security Council

Pursuant to Security Council resolution 1483 (2003), I have the honour to convey the attached letter from my representative on the International Advisory and Monitoring Board for Iraq.

It will be noted that the report does not contain any financial data, pending the completion of the audit of the Development Fund for Iraq, which the Board intends to make public.

I should be grateful if this letter could be brought to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 30 June 2004 from the representative of the Secretary-General on the International Advisory and Monitoring Board addressed to the Secretary-General

As your representative on the International Advisory and Monitoring Board for Iraq, I am pleased to report to you on the Board's activities since its inception.

The International Advisory and Monitoring Board first met in an organizational session on 5 December 2003 in New York, and has met on a monthly basis since. It was agreed at the organizational session that I, as your representative, would chair the Board for a term not to exceed one year.

Audit of the Development Fund for Iraq

The Board's first priority was to complete expeditiously the statement of work for the external auditors to be appointed by the Administrator of the Coalition Provisional Authority, subject to the approval of the Board, to undertake an audit of the Development Fund for Iraq and to audit the oil export sales to ensure that these are made consistent with prevailing best practices. The Board completed its review of the statement of work by the end of 2003 and submitted it to the Administrator of the Authority. After consultations with the Board, the Coalition Provisional Authority proceeded to seek solicitations for the award of a contract for the audit. Following the evaluation process by the Authority of the solicitations received from external audit firms, and following further examination of the qualifications of the audit firms, the Board on 24 March 2004 approved the appointment of KPMG. The Board was satisfied with the international composition of the audit team, including the commitment by KPMG to include internationally experienced and specialized audit partners, and the use of international standards on auditing.

The scope of the audit by KPMG covers:

(a) The export sales of oil, petroleum products and natural gas from Iraq, supporting the objective of ensuring that the export sales are made consistent with prevailing international market best practices;

(b) The Oil Proceeds Receipts Account held by the Central Bank of Iraq at the Federal Reserve Bank of New York;

(c) The Development Fund for Iraq (including, but not limited to, all inflows, investments and other assets, disbursements, liabilities and contingencies of the Fund), to ensure that the Fund is used in a transparent manner in accordance with applicable control procedures;

(d) Disbursements of resources from the Development Fund for Iraq to ensure that they are in accordance with the provisions of paragraph 14 of Security Council resolution 1483 (2003) and that Fund resources are used in a transparent manner and for the purposes for which they were disbursed.

For the purposes of (a) and (b) above, the audit will verify that all sales and related receipts are accurately accounted for and that the distribution of receipts between the Development Fund for Iraq and the United Nations Compensation Fund account are accurately reflected, and for the purposes of (c) above, the Fund

financial statements prepared by the Coalition Provisional Authority will be audited. For the purposes of (d) above, the audit will determine whether disbursements from the Fund are duly authorized and received by the designated recipient and will assess whether the controls of the designated recipient are adequate to ensure that disbursements from the Fund are utilized as intended.

At its subsequent meetings in April, May and June 2004, the Board received briefings by KPMG regarding the progress made in the audit. The report for the audit covering the period from inception to 31 December 2003 will be submitted to the Board in time for its meeting scheduled for 14 and 15 July 2004. The report for the audit covering the period from 1 January to 30 June 2004 is expected to be submitted in September 2004. The Board intends to make public the audits and will also provide comments thereon.

Areas of concern

In carrying out its responsibilities, the Board also sought and obtained from the Coalition Provisional Authority a series of detailed briefings in a number of areas of interest to the Board relating to the financial functions and operations of the Development Fund for Iraq, the oil extraction and sales and the internal controls in place. The Authority cooperated fully with the Board in this respect. As a result of those briefings the Board identified a number of issues of concern which it conveyed to the Authority and the public.

(a) Controls over the extraction of oil

The Board noted that there was a lack of adequate control over the extraction of crude oil, as evidenced by the absence of metering or measurement of extracted oil quantities. The absence of metering for crude oil extraction and sales precludes a reconciliation of all crude oil extracted with its eventual utilization, and allows oil proceeds to be diverted.

While the Board understood that this situation may have preceded the arrival of the Coalition Provisional Authority, the Board believed that this was a critical weakness that needed to be remedied so as to ensure that oil export sales have been deposited in the Development Fund for Iraq and can be used for the intended purposes.

The Board recommended the expeditious installation of the metering equipment. It was subsequently informed by the Coalition Provisional Authority that steps were being taken to address this issue first by adopting measures to curtail reported smuggling activities and by the allocation of resources to implement a metering system.

(b) Bartering

The Board noted that, initially, a share of the residual oil from the refining process was transacted through barter sales in exchange for light oil products and other commodities such as electricity. The Board was informed that the Coalition Provisional Authority intended to gradually eliminate these barter transactions. The Board recommended that this should be completed expeditiously considering that revenues from such sales not currently deposited in the Development Fund for Iraq and because of the scope for fraudulent or non-transparent transactions. At its last

meeting, in June 2004, the Board was informed that there was only one bartering contract remaining, and that the estimated bartering sales had been valued at $225 million, which would result in a potential compensation of $12 million to the United Nations Compensation Fund.

(c) Sole-sourced contracts

The Board was informed that the Coalition Provisional Authority had awarded contracts funded from the Development Fund for Iraq resources without using competitive bidding procedures. The Board conveyed to the Authority a request that any audit relating to sole-sourced contracts awarded using Fund resources is communicated to the Board. The Board was at the time considering requesting a special audit in accordance with its terms of reference but wanted to review the findings of any existing audit report by the Authority to avoid duplication of work.

So far, the Board has not been able to obtain access to these audits and therefore decided to call for a special audit as envisaged under its terms of reference. The scope of the audit would be to identify all sole-sourced contracts funded from the Development Fund for Iraq, document each contract's terms, the justification for sole-sourcing, and the procedures to ensure fair delivery of the contract, summarize the results of audits already performed, prepare a summary report of key findings, assess whether each contract was executed in accordance with the contractual provisions, whether disbursements were made consistent with the provisions of paragraph 14 of resolution 1483 (2003) and whether the funds were used in a transparent manner and for the purposes for which they were disbursed.

The Board was informed at its meeting in June 2004 that the Coalition Provisional Authority was proceeding with making arrangements to put the request for such an audit out for bidding.

Observers

The Board appointed two observers from the Iraqi Governing Council and one from the Coalition Provisional Authority. The participation of observers in the meetings of the Board as well as that of invitees from the Iraqi Board of Supreme Audit and the Authority provided the Board with useful opportunities to exchange views and gain a better understanding of the operations in Iraq.

Dissemination of information

The Board established a web site (www.iamb.info) to ensure the widest availability to all interested parties of documentation and information related to its operations. All documentation, including the minutes of its meetings, press releases and terms of reference, is posted on the site. The site provides the user with a facility to contact the Board to seek additional information and/or clarifications. It also has a link to the web site of the Coalition Provisional Authority where information on the Development Fund for Iraq can be accessed. This site is accessed frequently and the Board has been responding to enquiries as they have arisen.

The future

The Board has requested the Administrator of the Coalition Provisional Authority to designate an official to act as counterpart to the Board after 30 June in connection with the finalization of the ongoing audits and to ensure that arrangements are made to preserve all records in order to enable the auditors to successfully conclude their work. The Board is contacting the Government of Iraq regarding the designation of a duly qualified individual as an additional full voting member of the Board as decided by the Security Council in paragraph 24 of its resolution 1546 (2004). The Board is also in the process of revising its terms of reference in the light of changes brought about by resolution 1546 (2004).

(*Signed*) Jean-Pierre **Halbwachs**
Representative of the Secretary-General on the
International Advisory and Monitoring Board

United Nations S/2004/543

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Progress report of the Secretary-General on Ethiopia and Eritrea

I. Introduction

1. The present report is submitted pursuant to paragraph 12 of Security Council resolution 1320 (2000) of 15 September 2000, and provides an update on developments in the peace process since my report dated 5 March 2004 (S/2004/180). The report also describes the deployment and activities of the United Nations Mission in Ethiopia and Eritrea (UNMEE), whose current mandate expires on 15 September 2004.

II. Status of the Temporary Security Zone and adjacent areas and cooperation with the parties

2. Since no major incidents have occurred during the period under review, the general situation in the Temporary Security Zone and adjacent areas can still be described as relatively stable from a military point of view. However, the stalemate in the peace process has obviously had an impact on the environment in which UNMEE operates, and the relative stability that currently exists cannot be taken for granted. Meanwhile, UNMEE has continued, through extensive patrolling and within the restrictions imposed by both parties, to maintain the integrity of the Temporary Security Zone and to try to monitor the redeployed positions of the parties' armed forces.

3. Regrettably, there has been a deterioration in the relations between the Eritrean authorities and UNMEE in recent months. Despite demarches and appeals by my Special Representative, Legwaila Joseph Legwaila, and the Secretariat, a number of measures taken by the Government of Eritrea have made it difficult for UNMEE to conduct some aspects of its operations in an effective manner. The deterioration has manifested itself in a number of areas, including continuing restrictions on the Mission's freedom of movement, especially in the adjacent areas north of the Temporary Security Zone; the closure to UNMEE traffic by the Eritrean authorities of the main road from Asmara to Barentu, which constitutes the Mission's main supply route to its troops in Sector West; continuing detentions by the authorities of locally recruited United Nations staff; and a recent spate of public statements by some senior Eritrean officials attacking the peacekeeping operation and its staff.

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4. Several steps have been taken in order to address this unfortunate state of affairs. In early May, my Special Representative sent a letter to President Isaias Afwerki, asking for his personal intervention in order to reverse this worrisome trend. The Security Council, for its part, issued a press statement, expressing concern about the deterioration in the cooperation of Eritrea with UNMEE and demanding that Eritrea immediately remove any and all restrictions and impediments to the work of the Mission. At the same time, the Council viewed with disappointment Ethiopia's continued rejection of significant parts of the Eritrea-Ethiopia Boundary Commission decision. I also wrote to President Isaias, expressing my concern about the present situation, as well as the hope that the Government of Eritrea would engage UNMEE in a constructive manner to resolve any differences that may exist. I also assured the President that UNMEE had investigated each and every allegation made against its staff, had taken appropriate action and had shared the outcome of its findings with the Government, where appropriate. I am therefore encouraged by the assurances offered by Foreign Minister Abdella to a recently visiting United Nations team that Eritrea stands ready to address and resolve any emerging problems and issues in an amicable way.

5. On the Ethiopian side, cooperation has remained at a workable level. The increase in training activities by the Ethiopian Armed Forces, observed in the last reporting period, continued, culminating in collective training exercises that included the firing of heavy-calibre weapons close to the southern boundary of the Temporary Security Zone. However, following discussions at the sector-level of the Military Coordination Commission, the Ethiopian Armed Forces agreed to move all live firing exercises at least five kilometres away from the Zone. By early May, the Ethiopian Armed Forces had considerably reduced the intensity of its training activities.

6. Allegations and reports of violations of the Temporary Security Zone have, unfortunately, increased during the latter part of the reporting period. In the last week of April, Eritrea reported three such violations, which allegedly had resulted in exchanges of fire between Eritrean militia and Ethiopians entering the Zone. In two separate instances, Eritrean militia operating in the Zone arrested one EAF soldier and one civilian of the Kunama ethnic group, whom they described as a bandit. UNMEE was granted access to both individuals in the course of investigations into these incidents. The majority of the allegations of "violations" of the Zone involved rustling of livestock, an activity that has been on the increase in recent months, in particular in Sector West. Meanwhile, incursions by Ethiopian herdsmen and their livestock into the Zone in Sector Centre, mentioned in previous reports, have continued at a steady level.

7. UNMEE continued to investigate reported or observed incidents of military personnel and civilians from both sides defecting across the southern boundary of the Temporary Security Zone, and was involved on several occasions in the repatriation of individuals, mainly children, who had crossed the boundary inadvertently. Unfortunately, one incident involved an illegal crossing by a former national staff member of UNMEE in disguise in an UNMEE helicopter. Most recently, on 11 June, another national staff member crossed the southern boundary of the Zone while on technical assignment in the Zone. UNMEE is as concerned as the parties about these incidents, which have been rigorously investigated as a result. In addition, UNMEE has continued to refine its internal control measures in an attempt to avoid reoccurrences of such incidents.

8. On 25 May, a large explosion occurred in Barentu, in Sector West, killing an unconfirmed number of people and injuring dozens of others. While this tragic incident did not appear to be related to UNMEE or its operations, it nevertheless highlighted the question of the safety and security of United Nations personnel working in the field, including in Eritrea. In this connection, the Secretariat is still awaiting a response to a letter sent on 29 March to the Eritrean Minister for Foreign Affairs with regard to security arrangements. At the same time, I welcome Eritrea's recent promise to establish a working-level mechanism through which UNMEE and the Eritrean authorities could address the Mission's security concerns.

Freedom of movement

9. On 5 March 2004, the Eritrean authorities closed the Asmara-Keren-Barentu road to all UNMEE traffic in response to allegations by the Government of illegal activity by the Mission's Finnish Guard Company, which had been escorting UNMEE convoys on that route. As a consequence of this measure, all movement to Sector West now has to follow a more tortuous route, which, for a considerable distance is unpaved and will therefore be difficult to use during the upcoming rainy season. This restriction, which adds considerably to the journey time, imposes severe logistic constraints, limits the conduct of mandated activities and adds unnecessary costs to the Organization. The Eritrean authorities have indicated that the Asmara-Keren-Barentu road will not be reopened until the Mission's alleged illegal activities have been fully investigated. The investigation, which began on 5 March, has not yet been concluded.

10. As UNMEE continued to encounter restrictions of movement in the areas adjacent to the Temporary Security Zone within Eritrea, its ability to monitor the redeployed positions of the Eritrean Defence Forces remained constrained. Regrettably, the Government of Eritrea also continued to insist on receiving prior notification for non-Mission partners, including embassies of the Witnesses and Group of Friends of UNMEE, troop-contributing countries, the United Nations country teams and non-governmental organizations, travelling on UNMEE carriers on both domestic and cross-border flights. In addition, there was no improvement with regard to the procedures imposed on UNMEE staff entering and exiting Ethiopia and Eritrea at the airports in Addis Ababa and Asmara.

11. I regret to report that there has still been no progress with regard to direct flights between Asmara and Addis Ababa. UNMEE thus continues to be the casualty of the parties' failure to allow for the resolution of this issue, as the extended detours for UNMEE aircraft flying between the two capitals constitute a serious complication for my Special Representative and his staff working in the service of peace between Ethiopia and Eritrea. In addition, the indirect flights have resulted in additional costs, which now total US$ 3.59 million since the Mission's inception. Ethiopia had at some point implied that it might be prepared to allow for absolutely direct flights on which Eritrea insists. However, no action to this end has been taken, and the Ethiopian military authorities recently indicated that such a step would essentially be a political decision. I hope that the relevant authorities will take the necessary, and long overdue, steps to resolve this matter as a token of goodwill towards the United Nations and the wider international community which have invested heavily in this peace process.

Military Coordination Commission

12. The twenty-third and twenty-fourth meetings of the Military Coordination Commission were held in Nairobi on 15 March and 10 May 2004, respectively, under the chairmanship of UNMEE. These two meetings discussed the prevailing military situation in the Mission area, focusing primarily on security aspects impacting on UNMEE operations. The delegations also reviewed the proceedings of the fledgling sector Military Coordination Commission process, which has proved to be very useful in resolving localized problems in the border areas, including the issue of live firing exercises by the Ethiopian Armed Forces near the Temporary Security Zone, mentioned in paragraph 5 above. Both Sectors West and Centre held their first Military Coordination Commission meetings in early March, as planned, and their second meetings were held on 21 April and 6 May, respectively. Sector East's first sector-level meeting took place on 9 June, and new dates for sector-level military coordination commissions in all three sectors have been agreed. I welcome this most positive development. Meanwhile, the next Military Coordination Commission meeting is scheduled to take place in Nairobi on 5 July.

Status of the Mission and related issues

13. As at 11 June 2004, the total strength of the UNMEE military component stood at 3,951, comprising 3,626 troops, 107 headquarters staff officers and 218 military observers (see annex II). As part of an ongoing efficiency review and UNMEE efforts to streamline its operations, the Slovak demining contingent will not be replaced by a military capability as it ends its tour of duty in June 2004. Instead, a more modest commercial asset will be employed at significant overall savings in terms of personnel and cost to minimize the impact on the Mission's overall demining capacity.

14. At the request of Eritrea, the relocation of the new UNMEE camp in Sector West was completed in early March and is now operational, with the exception of the transport workshop, which is expected to be completed by the end of June. So is the camp of the Bangladeshi Demining Company, which was recently transferred to Shilalo in Sector West.

15. The functioning of UNMEE continues to be affected by the detentions by the Eritrean authorities of locally recruited United Nations staff on the grounds that they have obligations of national service. Since the beginning of 2004, approximately 100 local employees have been rounded up by the Eritrean authorities and, as of 25 May, three local staff remained in detention, in addition to two arrested in 2003. Numerous others have been ordered by the local security authorities not to go back to work at UNMEE, and one local staff member, who had been released, was reportedly re-arrested. Since several United Nations agencies, in addition to UNMEE, have been affected by Eritrea's policy vis-à-vis the recruitment and employment of local staff, the Acting Legal Counsel of the United Nations sent a letter on behalf of the United Nations system to the Permanent Representative of Eritrea on 3 June regarding this issue. The letter sought to clarify the status of locally recruited staff, pointing out that they are exempt from military service obligations while working with the United Nations. I appeal to the Government of Eritrea to reconsider its position on this important matter, and to sign the status-of-forces agreement with the United Nations without further delay.

III. Boundary Commission

16. The core of the stalemate in the peace process remains the lack of progress in the demarcation of the border. As a result, the Boundary Commission has reduced the activities of its field offices to the minimum compatible with the ability to resume the work on the ground, if and when the parties allow it to do so. A report of the Commission, prepared by its President, is contained in annex I to the present report.

17. Voluntary contributions and pledges to the Trust Fund for the delimitation and demarcation of the border currently total some 10.9 million United States dollars. No new contributions or pledges have been made since September 2003. Due to the delay in demarcation, it is now projected that an additional $6.5 million would be required to complete the demarcation of the whole border, when the process resumes.

IV. Mine action

18. The threat of landmines and unexploded ordnance continues negatively to affect the people living and working in the Temporary Security Zone and its adjacent areas. From March 2004 to end May 2004, there were six incidents involving landmines and unexploded ordnance, two in Sector West, two in Sector Centre and two in Sector East, killing one person and injuring seven others. Preliminary UNMEE investigations indicated that one of the incidents in Sector West was the result of a newly laid mine — the first such incident since July 2003. As a result, UNMEE issued a revised mine and unexploded ordnance threat assessment recommending additional specified precautions to be taken while travelling in Sector West. Meanwhile, UNMEE demining assets continued their work throughout the Mission area, destroying 166 mines and 2,288 items of unexploded ordnance, and clearing more than 160,543 square metres of land and 614 kilometres of road.

19. In March, the UNMEE Mine Action Coordination Centre won a United Nations award in recognition of outstanding team productivity, initiatives and contributions in 2003 to improve the efficiency and effectiveness of the United Nations.

V. Humanitarian developments

20. In both Ethiopia and Eritrea, the humanitarian situation continued to pose substantial challenges. As a result, my Special Envoy for the Humanitarian Crisis in the Horn of Africa, Martti Ahtisaari, once again visited Ethiopia and Eritrea in April 2004. During his visit, he held meetings with the two Governments, donors and the United Nations country teams, as well as my Special Representative.

21. In Ethiopia, humanitarian agencies stressed that, in order to avert a crisis, provision of non-food assistance would need to be given the same importance as food aid, particularly as regards the water, sanitation and agriculture sectors. Implementing partners have expressed concern that so far only 20 per cent of non-food aid requirements have been met by confirmed contributions, as compared to

57 per cent of food aid. On a positive note, there was growing confidence among donors, United Nations agencies and international non-governmental organizations with regard to the capacity of the Ethiopian Government's Disaster Prevention and Preparedness Commission. Consequently, food assistance for the 7 million beneficiaries identified in the December 2003 appeal will be coordinated by the Commission and delivered using existing mechanisms.

22. The Consolidated Appeals Process 2004 mid-year review reported with concern that so far only 25.7 per cent of the requested assistance for Eritrea had been received. Drought conditions persisted and Eritrea's capacity to cope has declined, with more than half the total population threatened by direct hunger and extreme poverty. The need for food aid as well as measures to improve food security remained acute. Malnutrition is above the World Health Organization (WHO) threshold of 15 per cent global acute malnutrition in some regions. Children continued to suffer high levels of chronic malnutrition while maternal malnutrition rates reached 40 per cent in some places, with serious implications for maternal mortality.

23. A severe lack of seeds for planting long-cycle staples means loss of production opportunities for the season. Rural populations in many areas remained highly vulnerable to food insecurity and dependent on food aid. UNMEE also remains concerned about the humanitarian situation of settlements in the extremely harsh environment of the Southern Red Sea Zone in Sector East, particularly the situation of children, who live in very poor conditions and suffer from a wide range of preventable diseases. The most urgent needs of the settlements are access to clean water, health care and educational facilities, as well as food assistance. The continued inability of this population to resume cross-border economic activities has left some exposed to serious humanitarian problems. Given the substantial needs in both countries, I urge the international community to generously fund humanitarian and development assistance.

Quick-impact projects

24. UNMEE continued to implement quick-impact projects in the Temporary Security Zone and the adjacent areas of Ethiopia and Eritrea. A total of 89 projects have now been completed, with another 49 in various stages of implementation. While a number of proposed additional projects have been reviewed, funds available in the Trust Fund to Support the Peace Process in Ethiopia and Eritrea have almost been depleted. I therefore urge donors to continue to support this important programme through additional contributions to the Trust Fund.

HIV/AIDS activities

25. UNMEE continued to build capacity in HIV/AIDS awareness and prevention among its peacekeepers, the United Nations country teams and in the host nations through training-of-trainers in HIV/AIDS peer leadership, followed by cascade training, in line with developed action plans. In addition, UNMEE provided information for World Bank staff and held induction training for newly arrived peacekeepers.

VI. Human rights

26. UNMEE continued monitoring the human rights situation within the Temporary Security Zone and investigated all reports, including those of cross-border incidents, particularly where individuals were reported missing. There was concern at the lack of cooperation from some local interlocutors, for example in Sector East, which has impeded the full implementation of the UNMEE human rights mandate.

27. On 19 March, following written and oral requests, UNMEE was allowed to conduct an important first visit to the Wa'ala Nihibi camp for Eritrean refugees and asylum-seekers, located near Shiraro, Ethiopia. Relocation of the refugee camp to a new site, 50 kilometres from the boundary of the Temporary Security Zone, commenced on 15 May. The move will improve the security and humanitarian situation of the residents.

28. On 19 March 2004, 81 persons of Eritrean origin were repatriated from Ethiopia, and on 5 June, 176 persons of Ethiopian origin were repatriated from Eritrea, while three children were repatriated from Ethiopia to Eritrea. These operations took place under the auspices of the International Committee of the Red Cross, with the assistance of UNMEE. Information gathered by UNMEE during interviews conducted following the repatriation operations indicated that the conditions for nationals living in the other country have worsened. Ethiopians in Eritrea reported an increase in the incidence of intimidation and harassment in recent months and, similarly, most persons of Eritrean origin reported discrimination in access to employment and difficult economic conditions in Ethiopia. At the same time, Eritreans living in Ethiopia appear to be taking advantage of directives issued by the Government of Ethiopia in January 2004 regarding regularization of their status in Ethiopia.

29. In addition to human rights training for its peacekeepers, UNMEE continued to organize human rights awareness workshops for law enforcement officials, judicial bodies and civil society organizations in Ethiopia. A large number of requests were made for more substantial human rights training, which the Mission would be able to meet if adequate funding was made available.

VII. Public information

30. UNMEE public information activities have continued against the backdrop of a media environment that has become increasingly difficult, especially in Eritrea. Since my last report, there have been frequent public attacks on the international community and, in more recent weeks, on UNMEE, accusing both of failing to put pressure on Ethiopia to implement the Boundary Commission's decision. Despite limitations to its ability to reach out to the ordinary citizen with messages countering such attacks, the overall status of the peace process and the Mission's activities, UNMEE has used its weekly press briefings, press releases, radio and outreach activities to inform the people of the two countries about the conduct of this United Nations operation and to refute unfounded allegations.

VIII. Financial aspects

31. The General Assembly, by its resolution 57/328 of 18 June 2003, appropriated the amount of $188.4 million (gross), equivalent to $15.7 million per month, for the maintenance of UNMEE for the financial period from 1 July 2003 to 30 June 2004. The assessment of these amounts is subject to the decision of the Security Council to extend the mandate of the Mission. As at 30 April 2004, unpaid assessed contributions to the special account for UNMEE amounted to $59.4 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1.2 billion.

IX. Observations

32. Despite the difficulties in the implementation of the Boundary Commission's decision and the absence of much-needed dialogue between Ethiopia and Eritrea, the parties continue to abide by their commitments under the Agreement on the Cessation of Hostilities, respecting the integrity of the Temporary Security Zone. However, as mentioned in my last report, a protracted stalemate in the peace process is in itself a source of instability; I am concerned that a relatively minor incident, even one of miscalculation, could degenerate into a very serious situation, which no one would wish for and which would be tragic for all concerned. In recent months, there has been an escalation of public rhetoric on both sides, and some reports indicate that both Governments continue to upgrade and strengthen their armed forces. With this in mind, I appeal to the parties to continue working with UNMEE to prevent incidents in the border area and to resolve any differences or put to rest any suspicions through peaceful means. Needless to say, my Special Representative and the Mission stand ready to assist the parties in this regard at any time. As UNMEE continues to serve as an important stability element, its unrestricted freedom of movement and access in the Temporary Security Zone and adjacent areas as well as full cooperation of the two states remain key for the effectiveness of the United Nations operation on the ground.

33. In this context, the recent deterioration in the relationship between UNMEE and the Eritrean authorities is regrettable. Indeed, any restrictions and impediments to the Mission's work are unacceptable, given the fact that UNMEE is a consent-based peacekeeping mission, established at the invitation of the parties. In particular, I am concerned about the public statements attacking the peacekeeping operation and its staff. The tone and extent of the allegations made recently in Asmara are not only detrimental to UNMEE working relations with the authorities but could impact on the Mission's effectiveness and even endanger the security of its personnel. This attitude towards UNMEE fails to acknowledge the undisputable positive achievements of the Mission since its establishment almost four years ago. The recent indication by the Eritrean authorities that they would engage UNMEE in a constructive manner to resolve any differences that may exist is welcome. The United Nations is fully prepared for and would appreciate such constructive engagement, since the recent deterioration in relations has diverted attention from the goal of expeditious demarcation of the border.

34. At the same time, it is a source of deep concern that Ethiopia continues to express its opposition to the demarcation process in conformity with the final and binding decision of the Boundary Commission. In an aide-memoire dated 7 April

sent to several stakeholders, including the United Nations, the Ethiopian Ministry of Foreign Affairs reiterated its position that the current demarcation line would disrupt the lives of border communities and lead to future conflict, describing the demarcation process as flawed. It is worth reminding the parties, and in particular Ethiopia, that the two Governments themselves entrusted the Boundary Commission with the entire demarcation process, drew up its mandate and selected its Commissioners. It would therefore be essential that Ethiopia unequivocally restate its acceptance of the Boundary Commission's decision, appoint field liaison officers and pay its dues to and otherwise cooperate fully and expeditiously with the Commission, as called for by the Security Council in its resolution 1531 (2004) of 12 March 2004.

35. The peace process between Ethiopia and Eritrea is unlikely to succeed if the parties remain unwilling to move forward and be accommodating. Four years have passed since the end of hostilities, and it would now be time for the parties to demonstrate extra flexibility. It is hoped that the two Governments will realize, and perhaps explain to their peoples, that sober choices will have to be made in order to end the current stalemate. Failure to do so could indeed bring into jeopardy the overall peace endeavours. On the other hand, an early conclusion of the peace process would inevitably allow both countries to reap the fruits of peace and concentrate on much-needed reconstruction and development.

36. As for my offer of good offices, it is not my intention to establish an alternative mechanism to the Boundary Commission or to renegotiate its final and binding decision. Nevertheless, President Isaias he has requested that the issues my Special Envoy, Mr. Lloyd Axworthy, would want to raise be clarified with his own Special Envoy. Further consultations are ongoing on the matter. I call on the parties to avail themselves of my good offices, and engage constructively with my Special Envoy.

37. As has been pointed out on numerous occasions, ultimately it is only the parties themselves that can bring peace to their countries. However, the international community has played, and continues to play, an important role in this peace process, in which it has made considerable investments, political as well as financial. While I have no doubt that our international partners will continue to lend full support to our common objective, I encourage all concerned to continue to engage the parties and to carefully consider what else can be done to assist them in bringing this process to a successful conclusion.

38. I am fully aware that in the current circumstances questions are increasingly being raised about the long-term effectiveness of UNMEE and its future configuration on the ground. In accordance with paragraph 10 of Security Council resolution 1531 (2004), I have initiated a review of the Mission's effectiveness, with a view to adjusting and streamlining its operations as needed, keeping in mind the existing mandate of UNMEE and the need to uphold the integrity of the ceasefire arrangements. Needless to say, no adjustments should be made without careful consideration of the possible implications for the peace process and the results achieved thus far.

39. In conclusion, I wish to express my gratitude for the tireless efforts of my Special Representative and UNMEE as a whole, as well as the support of all partners on the ground, including the United Nations country teams and other humanitarian agencies. I also wish to acknowledge the hard work of my Special

Envoy and the important support of all the partners of the United Nations, including individual Member States, the African Union and other international organizations, as well as the troop-contributing countries.

Annex I

Eritrea-Ethiopia Boundary Commission
Thirteenth Report on the work of the Commission

1. This is the thirteenth report of the Eritrea-Ethiopia Boundary Commission, covering the period 26 February to 4 June 2004.

2. As indicated in its twelfth report, the Commission has, regrettably and for reasons beyond its control, been unable to make progress with its demarcation activities. The Commission is unaware of any developments during the period currently under review that would cause it to revise its conclusion that, until the positions of either or both of the parties are modified, there is nothing more that the Commission can do.

3. As noted in its twelfth report, the Commission, in keeping with its undertaking to continue its work if the parties cooperate fully in the manner foreseen in the Algiers Agreement, is maintaining its presence in the area, but it has reduced its activity to the minimum compatible with its being able to resume it, if and when the parties make it possible for the Commission to do so. The Commission is still maintaining its field offices in both capitals, but with reduced staff. However, the Commission, having regard to the financial implications of delays in the demarcation process, cannot maintain a presence in the area indefinitely. The Commission expresses the hope that the parties will cooperate "fully and promptly" with the Commission, as set out in paragraph 4 of Security Council resolution 1531 (2004), and thus enable it to resume its mission.

4. The Special Consultant provided progress reports to the parties through the Secretary on 15 April, 10 May and 1 June 2004, each stating that "as the Parties have not made it possible for the Commission to resume its activity, no progress was made in [March] [April] [May] and there is nothing to report."

5. Under article 4 (17) of the Algiers Agreement, the parties are required to bear the expenses of the Commission in equal shares, and accordingly deposits have been required from the parties at regular intervals. Eritrea has paid its latest deposit, while Ethiopia, despite repeated reminders, including in paragraph 4 of Security Council resolution 1531 (2004), still has not. The Commission therefore remains unable to make payment on certain accrued expenses and has no funds in hand to finance any renewed activity.

(*Signed*) Sir Elihu **Lauterpacht**
President of the Commission
4 June 2004

Annex II

United Nations Mission in Ethiopia and Eritrea: contributions as of 11 June 2004

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Algeria	8			8	
Australia			2	2	
Austria	2		1	3	
Bangladesh	7	168	4	179	
Benin			2	2	
Bosnia and Herzegovina	9			9	
Bulgaria	5		2	7	
China	6			6	
Croatia	7			7	
Czech Republic	2			2	
Denmark	4			4	
Finland	7	170	12	189	
France			1	1	
Gambia	4		0	4	
Germany	2			2	
Ghana	12		6	18	
Greece	2			2	
India	8	1 523	20	1 551	
Iran (Islamic Republic of)	3			3	
Italy		43	1	44	1
Jordan	7	943	15	965	
Kenya	11	671	12	694	1
Malaysia	7		4	11	
Namibia	4		1	5	
Nepal	5			5	
Nigeria	7		4	11	
Norway	5			5	
Paraguay	3			3	
Peru	3			3	
Poland	6			6	
Romania	8			8	
Russian Federation	6			6	
Slovakia		75	1	76	
South Africa	5		3	8	
Spain	3		2	5	
Sweden	6			6	

Country	*Military observers*	*Troops*	*Staff*	*Total*	*National support elements*
Switzerland	4			4	
Tunisia	2		3	5	
Ukraine	7			7	
United Kingdom of Great Britain and Northern Ireland	1		2	3	1
United Republic of Tanzania	8		3	11	
United States of America	7			7	
Uruguay	5	33	3	41	
Zambia	10		3	13	
Total	**218**	**3 626**	**107**	**3 951**	**3**

United Nations A/ES-10/272–S/2004/544

General Assembly
Security Council

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7 July 2004

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-ninth year

Identical letters dated 7 July 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The Palestinian death toll continues to rise as Israel, the occupying Power, continues to invade Palestinian towns and villages and to use excessive, disproportionate and indiscriminate force against the Palestinian civilian population. In less than one month's time, the Israeli occupying forces have brutally killed at least 55 Palestinians, including 12 children. The tragic and continuous climb in the number of casualties is reflective of Israel's ongoing onslaught against the Palestinian population in the Occupied Palestinian Territory, including East Jerusalem, in complete disregard and violation of all norms and rules of international humanitarian law and human rights law.

This callous disregard for human life by the occupying Power has destroyed thousands of families, with dire short and long-term social and psychological consequences for the Palestinian society. The Israeli occupying forces claim to be fighting "militants", but the list of martyrs and the accounts of their deaths reflect a very different story: that of innocent civilians killed while trying to live their lives as normally as possible under such a vicious military occupation. Among the dozens of Palestinian tragedies as a result of recent raids and attacks by the Israeli occupying forces was the killing of a father and a son in the city of Nablus yesterday. Dr. Khaled Saleh, a professor from Al-Najah University, and his 15-year-old son, Mohammed, were killed by Israeli fire while trapped in their home in the Ein Beit Ilma refugee camp in Nablus. Also, this past week, the Israeli occupying forces shot dead a Palestinian man, Yasser Mohammed Al-Arjeh, a scrap dealer from the Brazil refugee camp in Rafah, as he was picking through rubble in the area. In addition, among the many children killed during recent Israeli assaults were a 9-year-old boy, Omar Mohammed Zara'an, who was shot in the head and killed by machine-gunfire from an Israeli tank while he was playing soccer with other youths in the Rafah refugee camp on 1 July 2004, and a 14-year-old boy from Nablus, Hani Khamis Mahmoud Qandil, who was also shot in the head and killed by the occupying forces during a raid on 10 June 2004.

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Using tanks, bulldozers and helicopter gunships, the Israeli occupying forces have also continued to raid and attack the Rafah area in the Gaza Strip, killing and injuring a number of Palestinian civilians. The occupying forces also continued to deliberately cause the extensive destruction of property, including several homes, and uprooted hundreds of olive trees in the vicinity of the town of Beit Hanoun, compounding the devastation inflicted by the occupying Power on these areas in recent months. All such illegal actions have been carried out by Israel, the occupying Power, in flagrant violation of international law and in total contempt and disregard for the recent resolution adopted by the Security Council with regard to this matter, namely resolution 1544 (2004), in which the Council, inter alia, called upon Israel to respect its obligations under international humanitarian law.

This letter is in follow-up to our previous 194 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 21 June 2004 (A/ES-10/271-S/2004/506), constitute a basic record of the crimes committed by the Israeli occupying forces against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my deepest regret to inform you that, since my letter to you on 10 June 2004, at least 55 more Palestinians, including several children, have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,103 Palestinians. (The names of the martyrs that have been identified are contained in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 7 July 2004 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (Thursday, 10 June 2004 to Wednesday, 7 July 2004)

Thursday, 10 June 2004

1. Mohammed Yussef Abed Alyan Al-Je'awi
2. Hani Khamis Mahmoud Qandil (14 years old)
3. Shaher Awni Ahmed Moussa Tiqtaqeh

Monday, 14 June 2004

1. Khalil Mohammed Zuhdi Aryashi Marshood
2. Awad Hassan Ahmed Abu Zeid
3. Salah Saleh Ibrahim Al-Lahwani

Wednesday, 16 June 2004

1. Majed Mohammed Said Al-Saidi
2. Mahmoud Mustafa Ahmed Kamil

Tuesday, 22 June 2004

1. Khaled Jamal Ayoub Al-Shanbari
2. Ibrahim Abdelrahman Mohammed Salheh

Wednesday, 23 June 2004

Ibrahim Mohammed Ahmed Abu Sa'deh

Thursday, 24 June 2004

1. Mu'men Nafez Al-Maflooh
2. Hosni Bsheer Al-Hisi

Friday, 25 June 2004

1. Ehab Maher Ali Selim
2. Mohammed Haytham Fiqha
3. Abdel Salam Mahmoud Mohammed Abu Eiyadeh (sustained wounds from 19 May 2004)

Saturday, 26 June 2004

1. Nidal Said Ali Al-Wawi
2. Samer Tarek Selim Akubeh
3. Wajdi Al-Kadoummi
4. Omar Musmar
5. Nayef Fathi Abu Sharkh
6. Fadi Bassam Mahomud Bihti

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 3,103.

Monday, 28 June 2004

1. Ashraf Ayoub Al-Sabagh
2. Mohammed Hasan Rizq Al-Shorbagi (11 years old)
3. Musleh Salem Abdel A'al
4. Ibrahim Sabah Abu Al-Bateekh

Tuesday, 29 June 2004

1. Mohammed Fathi Abu Azab (17 years old, died from wounds sustained on 20 June 2004)
2. Rasem Khalil Edwan
3. Ahmed Salem Abu Eid (14 years old)

Thursday, 1 July 2004

1. Ismail Ahmed Nabhan
2. Omar Mohammed Zara'an (9 years old)

Friday, 2 July 2004

1. Mohammed Ahmed Deif Alah
2. Mohammed Ahmed Kerim
3. Yasser Mohammed Al-Arjeh
4. Hamzeh Nahed Haboush (15 years old)

Saturday, 3 July 2004

1. Ehab Abdelkareem Shitat (8 years old)
2. Tarek Jamal Hasan Asa'd Ghanam (9 years old, died from wounds sustained on 28 June 2004)
3. Mahmoud Saleh Al-Lahwani
4. Yussef Fayad Hussein Nasr Allah (died from wounds sustained on 5 November 2003)
5. Esahaq Muin Abu Taleb (14 years old)

Sunday, 4 July 2004

1. Mohammed Nassar Mohammed Al-Shawaheen
2. Adnan Hasan Mansoor
3. Thae'r Hilmi Ramadan
4. Rifa'at Omar Salameh Abu Amreh

Monday, 5 July 2004

1. Hana' Hasan Al-Sha'er (4 years old, sustained wounds from 1 July 2004)
2. Khaled Mohammed Yussef Al-Hawi

Tuesday, 6 July 2004

1. Khaled Moussa Saleh
2. Mohammed Khaled Moussa Saleh (15 years old)
3. Yamen Tayeb Ali Faraj
4. Amjad Arar Amlitat
5. Hamada Zu'ereb (14 years old)
6. Ibrahim Rafiq Abdelhadi
7. Ammar Abdelghaffar Al-Jadbeh
8. Wael Suleiman Araysheh

Wednesday, 7 July 2004

Issam Ali Saeed Mahamied

United Nations S/2004/545

Security Council

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8 July 2004

Original: English

France, Germany, Italy, Romania, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002 and 1491 (2003) of 11 July 2003,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the High Representative's continued role in Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the Annexes thereto (collectively the Peace Agreement, S/1995/999, annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (SFOR), the Organization for Security and Cooperation in Europe (OSCE), the European Union (EU), and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the Ministerial meetings of the Peace Implementation Conference,

Noting the reports of the High Representative, including his latest report of 18 February 2004 (S/2004/126),

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

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Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel adopted on 9 December 1994 and the statement of its President on 10 February 2000 (S/PRST/2000/4),

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the decisions set out in paragraph 8 of the communiqué of the NATO Istanbul Summit of 28 June 2004, which refers to NATO's intention to conclude its SFOR operation in Bosnia and Herzegovina by the end of 2004,

Taking note also of the European Union's intention to launch an EU mission to Bosnia and Herzegovina, including a military component, from December 2004, under the terms set out in the letter of 29 June 2004 from the Minister of Foreign Affairs of Ireland and President of the Council of the European Union to the President of the Security Council (S/2004/522*/Annex),

Acting under Chapter VII of the Charter of the United Nations,

I

1. *Reaffirms* once again its support for the Peace Agreement, as well as for the Dayton Agreement on implementing the Federation of Bosnia and Herzegovina of 10 November 1995 (S/1995/1021, annex), *calls upon* the parties to comply strictly with their obligations under those Agreements, and *expresses* its intention to keep the implementation of the Peace Agreement, and the situation in Bosnia and Herzegovina, under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Former Yugoslavia, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State, able to integrate itself into the European structures and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and *underlines* that full cooperation by States and entities with the International Tribunal includes, inter alia, the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes* its full support for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies

involved in assisting the parties to implement the Peace Agreement, and *reaffirms* that under Annex 10 of the Peace Agreement the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that in case of dispute he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;

5. *Expresses* its support for the declarations of the Ministerial meetings of the Peace Implementation Conference;

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 11 below to take such actions as required, including the use of necessary force, to ensure compliance with Annex 1-A of the Peace Agreement;

7. *Reaffirms* its intention to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 19 and 23 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational stabilization force established in accordance with its resolution 1088 (1996), and *welcomes* their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force;

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the multinational stabilization force, set out in the declaration of the Ministerial meeting of the Peace Implementation Conference in Madrid on 16 December 1998 (S/1999/139, annex);

10. *Welcomes* the decision of NATO to conclude its current SFOR operation in Bosnia and Herzegovina by the end of 2004. *Further welcomes* the EU's intention to launch an EU mission to Bosnia and Herzegovina, including a military component, from December 2004;

11. *Authorizes* the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue for a further planned period of 6 months the multinational stabilization force (SFOR) as established in accordance with its resolution 1088 (1996) under unified command and control in order to fulfil the role specified in Annex 1-A and Annex 2 of the Peace Agreement;

12. *Expresses* its intention to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

13. *Authorizes* the Member States acting under paragraph 11 above to take all necessary measures to effect the implementation of and to ensure compliance with Annex 1-A of the Peace Agreement, *stresses* that the parties shall continue to be held equally responsible for compliance with that Annex and shall be equally subject to such enforcement action by SFOR as may be necessary to ensure

implementation of that Annex and the protection of SFOR, and *takes note* that the parties have consented to SFOR's taking such measures;

14. *Authorizes* Member States to take all necessary measures, at the request of SFOR, either in defence of SFOR or to assist the force in carrying out its mission, and *recognizes* the right of the force to take all necessary measures to defend itself from attack or threat of attack;

15. *Authorizes* the Member States acting under paragraph 11 above, in accordance with Annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures established by the Commander of SFOR, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

16. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the SFOR to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on SFOR by Annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

17. *Demands* that the parties respect the security and freedom of movement of SFOR and other international personnel;

18. *Recalls* all the agreements concerning the status of forces as referred to in Appendix B to Annex 1-A of the Peace Agreement, and *reminds* the parties of their obligation to continue to comply therewith;

19. *Requests* the Member States acting through or in cooperation with the organization referred to in Annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

20. *Decides* that the status-of-forces agreements currently contained in Appendix B to Annex 1-A of the Peace Agreement shall apply provisionally in respect to the proposed EU mission and its forces, including from the point of their build-up in Bosnia and Herzegovina, in anticipation of the concurrence of the parties to those agreements to that effect;

21. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 11 and 20 above;

* * *

22. *Welcomes* the deployment by the European Union (EU) of its Police Mission (EUPM) to Bosnia and Herzegovina since 1 January 2003;

23. *Also requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with Annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996 (S/1996/1012), and later Peace Implementation Conferences, on the implementation of the Peace Agreement and in particular on compliance by the parties with their commitments under that Agreement;

24. *Decides* to remain seized of the matter.

United Nations S/2004/546

Security Council

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8 July 2004

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Letter dated 8 July 2004 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General

I have the honour to inform you that during the presidency of Romania, the Security Council is scheduled to have a debate on the subject "Cooperation between the United Nations and regional organizations in stabilization processes" on Tuesday, 20 July 2004.

The presidency has prepared the attached non-paper to help guide the discussion on this subject (see annex).

I would be grateful if you could have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mihnea **Motoc**
Ambassador

04-41843 (E) 090704

Annex to the letter dated 8 July 2004 from the Permanent Representative of Romania to the United Nations addressed to the Secretary-General

Non-paper for the Romanian presidency's thematic debate 20 July 2004

Cooperation between the United Nations and regional organizations in stabilization processes

Purpose of debate

1. The thematic debate proposed by Romania during its presidency of the Security Council in July 2004 is focused primarily on the enhancement of cooperation between the United Nations and regional organizations in stabilization processes. The purpose of the meeting is to identify new methods of cooperation and interaction between the United Nations and regional organizations, as well as innovative approaches in conflict stabilization processes.

Background

2. On the eve of the sixtieth anniversary of the signing of the Charter of the United Nations, the Security Council continues to have the primary responsibility for the maintenance of international peace and security. However, the nature of new security risks and threats facing the international community has largely surpassed the security framework envisioned at the end of the Second World War, calling into question the strategies and instruments used by the United Nations in the fulfilment of its mandate. In response, within the last decade, the United Nations has developed an array of approaches, including the development and promotion of strategic partnerships and cooperative arrangements with regional organizations. Regional organizations are increasingly recognized as instrumental mechanisms in the new collective security system, playing a central role in the prevention and resolution of conflicts, including the management of stabilization processes.

3. Regional organizations offer unique advantages in stabilization processes: they are the main depositaries of regional expertise, major stakeholders when it comes to regional security and, as the instruments that organize dialogue and cooperation, are effective conflict prevention tools.

4. Chapter VIII of the Charter of the United Nations spells out the principles guiding the role of regional arrangements and agencies. The activities of regional organizations must be undertaken in a manner consistent with the purposes and principles of the Charter. However, the Charter provides no precise definition of regional organizations, therefore allowing for a variety of cooperative efforts.

5. The Secretary-General's "Agenda for Peace" of 1992 introduced the concept of cooperation between the United Nations and regional organizations as a means of strengthening the capacity of the United Nations for preventive diplomacy, peacemaking and peacekeeping. In 1993, the Security Council reaffirmed the importance of regional organizations in the maintenance of international peace and security, inviting regional organizations to study ways to strengthen their functions and improve coordination of their efforts with those of the United Nations.

Reflecting interest in the regional approach, in 1994 the General Assembly adopted the Declaration on the Enhancement of Cooperation between the United Nations and Regional Arrangements or Agencies in the Maintenance of International Peace and Security. In addition, five "high-level meetings" have been held between the United Nations Secretariat and heads of regional organizations, the most recent one convened by Secretary-General Kofi Annan, in July 2003. The President of the Security Council was invited to participate in each meeting.

6. Contemporary threats to international peace and security no longer emanate exclusively from inter-state wars. Rather, armed conflict, intra-state wars and failed and failing states dominate the international security environment. Within the context of globalization and increased interdependence, their protracted and incremental evolution pose a security risk to regional stability and become breeding grounds for international terrorism, organized crime and arms proliferation. Particularly vulnerable to these new threats are societies emerging from conflicts, which must cope with lingering tensions, hostilities and violence.

7. Building sustainable peace requires a new vocabulary of stabilization responses in peace processes. Stabilization is not only post-conflict. Rather it is manifest on all points of the continuum of peace efforts, encompassing a comprehensive range of peace activities. As stabilization is a gradual and reversible process, it integrates the two priorities of the United Nations, peace and development, working to contain, manage and transform conflicts.

8. Most urgent, and yet paradoxically most difficult to bring about, stabilization processes encompass, inter alia, three areas of activities: first, security or the cessation of hostility; second, steps towards consolidating peace; and third, measures for reconstruction and reconciliation. These include tasks aimed at establishing law and order, repairing basic infrastructure, creating a form of interim local governance and gathering "cultural insights" to help create an understanding of how societies function.

9. Devising mechanisms for sustainable peace is particularly important as the demand for nation-building peace missions can only increase. Within the last 10 years, we have witnessed an average of nearly two new post-conflict cases per year, with larger and more complex nations requiring reconstruction.

Areas for recommendation

10. Reinforcing cooperation between the United Nations and regional organizations demands innovative and pragmatic efforts to pool together all stabilization resources available to make optimal and rational use of them in any given situation. In addition, energetic support from Member States is needed to strengthen the capability of regional organizations in all parts of the world and to ensure that they have the institutions, resources, manpower, training, military and logistics needed to carry out stabilization activities.

11. Particularly important in this context is the interplay between the Secretary-General, the Security Council and regional organizations. Whereas each peace operation is sui generis and requires special attention and decisions of its own, policies should be developed and lessons learned derived from past operations to give better support for future peace operations. In addition to enhancing strategic

collaboration, efforts should be made to develop a framework for cooperation to improve the operational relationship on the ground.

Issues for debate

12. Members of the Security Council are expected to partake in discussions both on conceptual and practical issues and to exchange views on recent developments, identifying constraints to effective cooperation as well as suggestions for improvement. The invited regional organizations will have the opportunity to present their own experience and views on these subjects.

13. In addition to reviewing progress made since the meeting on "The Security Council and regional organizations: Facing the New Challenges to Peace and Security", initiated by Mexico during its presidency of the Security Council in April 2003, the following questions are most relevant for the Council's debate:

- **Subsidiarity**: Are some conflicts more appropriate for the Security Council and other more amenable to the regional approach?
- **Comparative advantage**: What operational procedures can be designed to ensure effective division of labour based on comparative advantages of the United Nations and regional organizations?
- **Linkage**: Given the economic purposes of many subregional and regional organizations, what is the relationship between regional economic integration and regional security? Does the former precede and facilitate the latter?
- **Exchange of information**: What operational mechanisms can be created to improve interaction between the Security Council and regional organizations and among regional organizations in stabilization processes? How can the Security Council assist in establishing such liaisons?
- **Channels of communication**: How can regular channels of communication be developed to promote dialogue and the coordination of stabilization efforts between the United Nations and regional organizations?
- **Cooperation and regional capacity development**: Can systematic patterns of cooperation in stabilization processes be established given the fact that there is no single universal recipe to be applied everywhere as all parts of the world are different? How can regional organizations assist one another conceptually and logistically with the aim of strengthening regional mechanisms for peace-building?
- **Root causes of conflict**: How can close interaction between the United Nations and regional organizations contribute to comprehensive strategies for mutually supportive stabilization efforts that address root causes of conflict?
- **Smooth transition**: In instances where missions deployed by regional organizations are followed by the deployment of a United Nations operation, what measures can be taken to ensure a smooth transition from regional activities to successful long-term United Nations efforts, taking into account issues such as timely mobilization and respect for regional ownership?
- **Monitoring**: Can processes for monitoring the efficiency of cooperation be elaborated taking into account best practices and lessons learned?

- **Oversight**: What mechanisms can be created to ensure the commonality of objectives, as well as adherence to the relevant provisions of the Charter, of stabilization processes undertaken by regional organizations?

Format

14. The meeting will be chaired by the Prime Minister of Romania. The Secretary-General is expected to open the debate. Leaders/representatives of regional organizations will also be invited to participate in the Council's deliberation of the theme.

Outcome

15. A presidential statement is envisaged at the end of the debate, with a view to further promoting and strengthening cooperation with regional organizations. Romania is considering the possibility of a Security Council resolution on the issue in 2005.